Red



Washington, Friday, September 1, 1944

Regulations

TITLE 7-AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-14, Amdt. 2]

PART 1401-DAIRY PRODUCTS

FLUID MILK AND CREAM IN AKRON, OHIO, SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–14 (8 F.R. 13424, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Akron, Ohio, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.49 (e) (3) and inserting, in lieu thereof, the following:

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 104 percent; (ii) butterfat in cream: 78 percent; (iii) milk byproducts other than cottage, pot, or baker's cheese: 78 percent; and (iv) cottage, pot, or baker's cheese, 78 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., Sept. 1, 1944. With respect to violations of said War Food Order No. 79-14, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-14, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O.

9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 29th day of August 1944.

LEE MARSHALL, Director of Distribution.

[F. R. Doc. 44-13196; Filed, August 30, 1944; 12:20 p. m.]

TITLE 19—CUSTOMS DUTIES Chapter I—Bureau of Customs [T. D. 51115]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

MISCELLANEOUS AMENDMENTS

AUGUST 30, 1944.

Section 8.33 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.33 (c)), is hereby amended by deleting the period and inserting the following immediately before the parenthetical matter at the end: "or if it is entered by a transferee who has filed the bond provided for in § 8.39. When merchandise is withdrawn for transportation by a transferee, the collector at the port of withdrawal shall endorse the withdrawal to show whether the transferee has filed the bond provided for in § 8.39."

Section 8.39 (b), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.39 (b)), is hereby amended by deleting from the first line "limit the right of withdrawal to one person" and substituting therefor "designate a particular transferee."

Section 8.39, Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.39), is further amended by deleting the parenthetical matter at the end of paragraph (d) and by adding the following new paragraph:

(e) A transferee may further transfer the right to withdraw the merchandise, subject to the provisions of this section relating to original transfers. (Sec. 557, 46 Stat. 744, secs. 2, 22, 23, 52 Stat., 1072, 1087, 1088, sec. 624, 46 Stat. 759; 19 U.S.C. 1557, 1924)

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index. Book 2: Titles 4-9, with index. Book 3: Titles 10-17, with index. Book 4: Titles 18-25, with index. Book 5, Part 1: Title 26, Parts 2-178. Book 5, Part 2: Title 26, completed; Title 27; with index. Book 6: Titles 28-32, with index.

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is hereby amended by changin	g the
period at the end of the second ser	ntence
to a semicolon and adding the follo	wing:

"and the collector shall endorse the withdrawal to show whether the transferee has filed the bond provided for in § 8.39."

(Sec. 557, 46 Stat. 744, sec. 22 (a), 52 Stat. 1087, sec. 624, 46 Stat. 759; 19 U.S.C. 1557, 1624)

[SEAL] W. R. JOHNSON, Commissioner of Customs.

Approved: August 30, 1944.

HERBERT E. GASTON, Acting Secretary of the Treasury. [F. R. Doc. 44-13207; Filed, August 30, 1944; 4:01 p. m.]

TITLE 29-LABOR

Chapter VI-National War Labor Board

PART 803-GENERAL ORDERS

WAGE ADJUSTMENT FOR EMPLOYERS IN ALASKA

The National War Labor Board under paragraph (d) of § 803.4 has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(36) All employers in the Territory of Alaska. (Approved September 25, 1943) (E.O. 9250, 7 F.R. 7871)

> THEODORE W. KHEEL, Executive Director.

[F. R. Doc. 44-13238; Filed, August 31, 1944; 9:24 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II-Fiscal Service

Subchapter A-Bureau of Accounts

[1944 6th Supp. Dept. Circ. 570, Rev. Apr. 20,

PART 226—SURETY COMPANIES HAWKEYE CASUALTY CO.

AUGUST 30, 1944.

A certificate of authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241 (U. S. Code, title 6, secs. 6-13), as an acceptable surety on Federal bonds. An underwriting limitation of \$42,000 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

Name of company, location of principal executive office and State in which incorporated:

Hawkeye Casualty Company, Des Moines,

[SEAL] D. W. Bell,
Acting Secretary of the Treasury.

[F. R. Doc. 44-13239; Filed, August 31, 1944; 9:51 a. m.]

TITLE 32-NATIONAL DEFENSE

Chapter IX-War Production Board

Subchapter B-Executive Vice-Chairman

AUTHORITY: degulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943,

8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—Suspension Orders [Suspension Order S-606]

DEMAMBRO RADIO SUPPLY CO.

Joseph A. DeMambro, doing business as DeMambro Radio Supply Company at 1111 Commonwealth Avenue, Boston, Massachusetts, is a wholesale dealer in electronic equipment. Early in June, 1943, he placed five purchase orders for 15,254 radio tubes with one of his suppliers, an order for 3,865 with another, and four orders for 11,839 with another, in each instance certifying that he was entitled to purchase the items specified under the provisions of Limitation Order L-265. On July 12, 1943, he ordered an additional 625 tubes from one of his suppliers with a similar certification. All these certifications were contrary to the facts but only in the last case was the certification wilfully false, previous certificates having been based on misinterpretation of the order. On July 13 and 14, 1943, he accepted transfer of 1,495 of the tubes under certain of the above orders and on July 15 accepted transfer of 335 more, at which time he was not entitled to accept transfer of over 1,298 tubes. These acts were in knowing and wilful violation of General Limitation Order L-265. By reason of the foregoing facts, it is hereby ordered,

§ 1010.606 Suspension Order No. S-606. (a) Joseph A. DeMambro, whether doing business as DeMambro Radio Supply Company or otherwise, his and its agents, successors and assigns, shall not directly or indirectly accept the transfer of any electronic equipment, as defined in General Limitation Order L-265, except to fill orders rated A-1-a or higher, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph A. DeMambro, whether doing business as DeMambro Radio Supply Company or otherwise, his and its agents, successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof,

(c) This order shall take effect on August 30, 1944, and shall expire on October 30, 1944.

Issued this 23d day of August 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 44-13217; Filed, August 30, 1944; 4:36 p. m.]

PART 933-COPPER

[Conservation Order M-9-c, as Amended Aug. 31, 1944]

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of copper for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 933.4 Conservation Order M-9-c—
(a) Restrictions on manufacture of articles appearing on combined list. No manufacturer of any article on the combined list attached, or of parts (including repair parts') for any such article, may, if such article or parts contain copper products, or copper base alloy products, continue their manufacture by means of processing, assembling or finishing.

(b) Restrictions on manufacture of articles not appearing on combined list out of inventory on hand on June 30, 1942. (1) A manufacturer of any article omitted from the combined list or excepted from that list, or of parts (including repair parts) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing:

 (i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured to fill a purchase order, existing or prospective, bearing a preference rating of AA-5 or higher or, in the case of a controlled materials producer under the Controlled Materials Plan, to fill an authorized controlled material order; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized in writing by the War Production Board to manufacture the article or parts in question, with the copper products or copper base alloy products being used. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C., Reference: M-9-c.

(2) The provisions of paragraph (b) (1) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the combined list or excepted from that list. The provisions of paragraph (b) (1) shall also not apply to the manufacturing of any machinery omitted from the Combined List or excepted from that list, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on June 30, 1942 are bushings, bearings, nuts, bolts, screws, washers, and wire weighing in the aggregate less than

¹8 F.R. 12967; 9 F.R. 2537, 3067, 3286, 4805, 5769, 6395, 8176, 10038, 10147.

¹See also paragraph-(f) (3) permitting the manufacture of repair parts to make specific repairs of used articles under certain conditions.

² Priorities Regulation No. 1, § 944.14, prohibits the manufacture of more than a practicable minimum working inventory of articles or parts to fill prospective orders.

5% of the total weight of the article or

part.

(c) General restrictions on manufacture and plating. (1) The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No manufacturer may continue the manufacture of any article or parts (including repair parts) omitted from the Combined List or excepted from that list if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material is practicable. Furthermore, no manufacturer may continue the manufacture of any article or parts (including repair parts) omitted from the combined list or excepted from that list if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy than is necessary for the article's proper operation.

(2) The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

 He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, subcontract or purchase order call for an alloy with a higher copper or tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this subparagraph to use copper base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25 D. C., Reference: M-9-c. A provision similar to this subparagraph (2) appears in Order M-43 and one application is sufficient under both Orders M-9-c and M-43).

[Paragraph (3) formerly (2) redesignated Aug. 31, 1944]

(3) (i) The use of copper products or copper base alloy products for plating

any article on the combined list or for plating any parts (including repair parts) of such an article, is prohibited unless such plating is expressly stated in the list to be permissible or such plating is an undercoating for lead, chromium or nickel. Undercoatings for lead should, in general, be less than 0.00005 inch in thickness.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the combined list or excepted from that list, and the plating of parts (including repair parts) for such an article, is permitted provided that:

(a) Such plating is not for decorative purposes, or part of a decoration.

(b) The use of, or the normal wear on, such article or parts would make impracticable any other form of coating.

(d) Restrictions on deliveries to manufacturers. No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order. No person shall deliver or accept delivery of any article or parts (including repair parts) which he knows or has reason to believe was manufactured, processed, assembled or finished in violation of any applicable provision of this order.

(e) General restrictions on deliveries. The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34), as amended from time to time.

(f) Exceptions-(1) Applicability of order to certain Governmental agencies. The provisions of this order shall not apply to the use of copper products or copper base alloy products in the manufacture of any article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard applicable to the contract, subcontract or purchase order.

(2) Installation. The provisions of this order shall not apply to the installation of any article or part (including a repair part) for the ultimate consumer on his premises when any manufacturing of such article or part is incidental to the installation and is done on the consumer's premises. This exception does not, however, in any way affect or modify the provisions of Supplementary Conservation Order M-9-c-4 (restricting the

installation of certain types of copper and copper base alloy pipe, tube, and building materials) or of any other order restricting installation.

(3) Repair. The restrictions of this order shall not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and when all manufacturing done by him is with knowledge of the particular used article to be repaired. The restrictions of this order shall also not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, even if the manufacturer of the parts or the person making the repair uses copper products or copper base alloy products weighing in the aggregate more than two pounds, when (i) the copper scrap or copper base alloy scrap derived from the article being repaired weighs within one pound of the copper product or copper base alloy product used, (ii) all such scrap is-delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Copper Order M-9 and (iii) all manufacturing done is with knowledge of the particular used article to be repaired.

(4) Research, developmental and experimental activities.4 The provisions of this order shall not apply to the use of copper products or copper base alloy products to make experimental models or test runs, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items, nor shall such items, if designed primarily for future civilian markets, be exhibited to the public. Research, developmental or experimental activities in connection with products or materials designed primarily for future civilian markets must be carried on without diverting any manpower, technical skill or facilities from activities connected with the war effort.

(g) Special products; restrictions and exceptions—(1) Printing and publishing industries. After October 3, 1943, the provisions of this order shall not apply to the use of copper products and copper base alloy products in typography, en-

The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply."

^{*}Copper products and copper base alloy products in controlled material forms may be ordered for research, developmental and experimental activities by placing an order bearing the controlled material symbol V-9 and the standard CMP certification, all as provided in Order P-43.

graving, photo-engraving, gravure plate making, electrotyping, stereotyping, and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste, and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3. All other uses in those industries of copper products, copper base alloy products, copper scrap, and copper base alloy scrap are governed by Conservation Order M-339. Nothing contained in this paragraph (g) (1) shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products under paragraph (a) and the Combined List of this order.

(2) Insect screening. This order does not restrict the sale or delivery of used or second-hand insect screening. However, no person shall sell or deliver to any one person more than 50 sq. ft. of any other copper or copper base alloy insect screening unless the sale or delivery is made to: (i) A jobber, wholesaler or retailer; (ii) the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation); or (iii) any person upon specific authorization of the War Production Board. Applications for specific authorization shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C., Ref: M-9-c. Nothing contained in this paragraph (g) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening with copper products or copper base alloy products under paragraph (a) and the combined list. (See the item "insect screening" under the heading "Miscellaneous" on the combined list.)

(3) Copper products not controlled by order. The provisions of this order shall not apply to the manufacture of the following articles and parts (including repair parts) even though they contain copper products, or copper base alloy products, since these articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Sur Order M-9-c-1. Supplementary Conservation

Fire protective equipment governed by General Limitation Order L-39.

Motorized fire apparatus governed by General Limitation Order L-43.

Bronze paste, bronze ink, and bronze leaf, and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3.

Jewelry as defined in and governed by Supplementary Conservation Order M-9-c-2.

Musical instruments governed by Supplementary Limitation Order L-37-a.

Water meters governed by Schedule I of Lim-

itation Order L-154.

Gold filled and rolled gold plate governed by Direction 2 to Order M-199.

(4) Attachment and assembly work. (i) The provisions of this order do not apply to attaching finished slide fasteners, hook and eyes, brassiere hooks, sewmachine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to the manufacture, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

(ii) The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy. The provisions of this order do, however, apply to the manufacture, processing and finishing of watch and clock cases and of all other parts of watches and clocks and to assembling watches and clocks except as specifically exempted in this paragraph.

(h) Definitions. For the purposes of

this order: (1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap but shall not include alloyed gold produced in accordance with U. S. Commercial Standard CS 67-38.

(3) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(4) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(5) "Manufacturer" means a person who manufactures, processes, assembles, or finishes. "Manufacture" includes processing, assembling, and finishing.

(i) Miscellaneous provisions-(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) Appeal. Any appeal from the provisions of paragraphs (a) or (c) of this order shall be made by filing Form WPB-1477 (formerly PD-500 revised) with the War Production Board, Washington 25, D. C., Reference: M-9-c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the War Production Board.

(3) Communications. Any reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board. Copper Division, Washington 25, D. C.,

Reference: M-9-c.

(4) Applicability of order. The prohibitions and restrictions contained in this order shall apply irrespective of whether the articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of any articles or parts, the limitation of such other order shall be observed.

(5) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

COMBINED LIST

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (c) of this order.

AUTOMOTIVE, TRAILER 5 AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L-158 governing the manufacture of automotive replacement parts for passenger automobiles, motor trucks, truck trailers, passenger carriers, and off-the-highway motor vehicles.

Ambulance hardware (for locks, see under the heading "Miscellaneous" on this list). Automotive maintenance equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-270).

Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).

⁵ See also under "Passenger Transportation Equipment" on this List.

Heaters (except when the only copper products or copper base alloy products used are (i) for parts necessary for conducting electricity, or (ii) for radiators for passenger carriers having a seating capacity of not less than eleven persons)

Hearse hardware (for locks see under the heading "Hardware" on this list).

Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)

Hub and gas-tank caps.

Lights, lamps, headlamps and accessories (ex-Lights, lamps, headiamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity and for plating reflectors as provided by the item "Reflectors * * *" on this list under the heading "Miscellaneous").

Miscellaneous fittings and trim.

Motorcycles (except when the only copper products or copper has alloy products used

products or copper base alloy products used are for parts necessary for conducting electricity)

Motor-driven power cycles as defined in Order L-301 (except when the only copper products or copper base alloy products used are for parts necessary for generating and conducting electricity, or for carburetors, clutch facings or repair parts).

Rear-view mirrors and hardware.

BUILDING SUPPLIES

(Excluding supplies for ships, boats and aircraft)

Access panels

Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under L-38 or otherwise).

Anchors and dowels.

Blinds, including fixture fittings and trimmings

Caulking anchors.

Cement flooring and composition flooring (except that crude arsenical copper precipitate may be used for flooring for hospital operating and anesthesia rooms, for places where explosives are handled or stored and for places where explosive vapors may be present).

Conduits. Cornices.

Doors, windows, door and window frames and sills and parts excluding door handles and knobs. (This does not prohibit the use of copper or copper base alloy insect screening and weatherstripping to make or repair any of the above mentioned items, if the only copper or copper base alloy used is insect screening or weatherstripping). For door handles and knobs, see under the heading "Hardware". For the prohibition on manufacturing of copper or copper base alloy weatherstripping see "Weatherstripping and insulation" under this sub-heading "Building Supplies", and for the prohibition on manufacturing of copper or copper base alloy insect screening see "Insect screening" under the heading "Miscellaneous" on this list.

Elevators and escalators (except when the only copper products or copper base alloy products used are for bearings, worm gears and parts necessary for conducting electricity).

Expansion bolts and caulking anchors. Fences and gates.

Grilles, grids and gratings:

Gutters, leaders, downspouts, expansion joints, and accessories thereto.

Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conduction of electricity)

Linoleum stripping. Ornamental metal work.

Partitions.

Pile butt protection.

Pipe, tube, tubing and fittings for water sup-ply or water distribution systems and instaliations or for any gas supply or gas distribution system (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use in chlorine gas equipment).

Plumbing and heating supplies:

Bands on pipe covering

Cistern and low-water floats, and toilet floats.

Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by the terms of Orders L-185 and L-65)

P.pe, tube, tubing and fittings for piping systems (except solder nipples and fer-

Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V and XII of Order L-42 or any schedules or orders taking their place, or are permitted by a specific authorization of the War Production Board granted pursuant to such a schedule or order)

Push, kick, switch, floor and all other device plates.

Radiator shields and covers.

Railings.

Roof, roofing, louvers, marquees, roofing nails, flashings, flashing valleys, and other roofing items.

Sheet, roll, strip and rod for building construction.

Shelves.

Stair and threshold treads, nosing and edgings.

Store fronts Termite shields.

Terrazzo strips, reglets, moulding and trim. Thresholds and saddles.

Tie rods.

Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except that any copper products or copper base alloy products may be used for valves, controls, or parts necessary for conducting electricity, copper strip may be used for fins, copper tube may be used for water courses and headers, and cast brass also may be used for headers, if the copper content of the cast brass does not exceed 82% and the tin content 31/2 %).

Vents, ventilators and skylights. Water containers for humidification. Weatherstripping and insulation.

BURIAL EQUIPMENT

Burial urns. Burial vaults.

Caskets and casket hardware. See also Order L-64.

Memorial tablets.

Morticians' supplies.
(See also the item "Boxes, * * *" under the heading "Miscellaneous" on this list.)

CLOTHING AND DRESS ACCESSORIES (See also Order L-68)

Dress ornaments. Handbag fittings.

Metal cloths.

(See also the item "Slide fasteners under the heading "Miscellaneous" on this list.)

FURNISHINGS AND EQUIPMENT

Andirons, screens, and fireplace fittings.

Candlesticks.

Cooking and table utensils. Counters

Curtain fasteners, rods and rings. Cuspidors.

Fans (See the item "Fans * * *" under the heading "Miscellaneous" on this list). Furniture Furniture hardware (except bushings for hos-

pital bed springs if the copper content of the brass does not exceed 74% and the tin content 2%). For locks, see under the heading "Hardware" on this list.

Gas heater and stove installation connec-

Hollow-ware.

Mud scrapers.

Portable heaters. For electric portable heaters, see the item "Electrical appliances * * *" under the heading "Miscellaneous".

Shower curtains.

Stoves and ranges for household cooking use, gas (except when each valve contains not more than $\frac{1}{2}$ oz. of copper base alloy and each control contains not more than $\frac{1}{2}$ oz. of copper base alloy and the stove or range contains no other copper or copper base alloy whatever; or except when the stove or range contains no copper or copper base alloy whatever other than $1\frac{1}{2}$ oz. of copper base alloy in each control and the copper base alloy contained in any valves which either were finished prior to August 7, 1942, or which were or will be finished subsequent to that date pursuant to the granting of an appeal on or before May 26, 1944, or the issuance of a written specific authorization issued subsequent to May 26, 1944 to a valve manufacturer. Valve manufacturers desiring specific authoriza-tion to make valves out of copper base alloy products should apply by letter addressed to the Copper Division, War Production Board, Washington 25, D. C., Reference M-9-c, setting forth the relevant facts including the alloy of the copper base alloy products to be used).

Stoves and ranges other than gas stoves and ranges for household cooking use (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity).

Timers, for stoves and ranges.

Trays.

Upholsterers' supplies, including nails and tacks.

Vases, pitchers, bowls, and artcraft. Washing tubs and washing boilers

Waste baskets, hat trees, humidors and similar items.

HARDWARE

(Excluding hardware for aircraft)

Builders' finishing hardware, including hinges, door knockers, door checks, door pulls, door stops, door handles, door knobs, and hangers and tracks (except when the only copper products or copper base alloy products used are permitted by the terms of Schedule I of Order L-236). For locks, latches and padlocks, see below on this list.

Decorative hardware (including house numbers).

Expansion bolts.

Incinerator hardware and fittings. Letter boxes and mail chutes.

Locks, latches and padlocks (except when the only copper products or copper base alloy products used are permitted by the terms of Schedule I of Order L-236; and except for interior working parts of railway car door locks and railway switch padlocks and for all parts of postal locks when manufactured by the Mail and Equipment Section of the United States Post Office).

Marine joiner hardware (except when the only copper product or copper base alloy product used are permitted by the terms of Schedule II of Order L-236).

Sash balances.

INDUSTRIAL MACHINERY

Pulp and paper manufacturing: Stock and water lines, including shower

JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to:

Advertising specialties.

Atomizers (see also this list under "Miscel-

Bar fittings. Book ends

Cosmetic containers.

Lighters. Napkin rings.

Picture frames.

Smokers' accessories, including ash trays. Souvenirs.

PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, busses, and trailers, but excluding locomotives)

All items under the heading "Furnishings

and equipment"

Air conditioning equipment and refrigera-tion equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under Order L-38 or otherwise)

Bands on pipe covering.

Decorative hardware and ornamental metal work (for locks, see under the heading, "Hardware" on this List).

Door knockers, checks, pulls and stops.

Doors and windows, door and window frames and window sills.

Drinking water reservoirs.

General and finish hardware (except for repair and replacement purposes).

Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)

Pipe, tube, tubing, and fitting for plumbing and heating (except for essential repairs). Shower rods, heads and pans.

Sinks and drainboards.

Screening.

Towel and luggage racks.

Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting Fig. 8 or grooved trolley wire (unless used carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material.

Water containers for humidification. Weatherstripping and insulation.

MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L-39 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts). Arch supports.

Atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs).

Barrel hoops.

Badges Bar and counter equipment and fittings. Barber shop equipment and supplies.

Barrel hooks. Bathroom accessories.

Beauty parlor equipment and supplies (except for repair and replacement parts of commercial permanent wave equipment and commercial hair driers, when the only cop-per products or copper base alloy products used are permitted by the terms of Order L-65).

Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L-126 or under any schedule of Order L-38)

Bicycles, and similar vehicles, and equipment therefor (except valves for bicycle tires and tubes). (See also Order L-52.)

Binoculars, including opera glasses.

Bird and pet cages and stands. Blow torches, gasoline, kerosene and alcohol (except when the only copper products or copper base alloy products used are for the pump barrel, including pump barrel collar,

pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, burner and jet block, filler plug bushing, feed pipe bushings and pump bushings).

Bottle coolers.

Boxes, cans, jars and other containers.

Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals). See also the item "Stencils * * " on this list.

Brushes (except for the types used in electric

motors and generators; and except for industrial brushes used for (a) applications requiring non-sparking characteristics, (b) burring of needles, (c) the manufacture of precision gauges, or (d) the manufacture of combat end-products complete for tactical operations (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles), when prescribed for field or combat use by the Army or Navy of the United States, or when prescribed for field or combat use by the Army or Navy of any foreign country, and (e) except for drawing, spacing, or binding wire for other industrial brushes where copper or copper base alloy wire is essential to the efficient performance of the brush). The term "drawing, spacing, or binding wire" does not include "stapling wire.'

Cabinets.

Canes.

Carpet rods.

Cash registers.

Change making, and coin handling machines and devices (except for machines and devices, the production of which has been authorized under Order L-54-c)

Chimes and bells (except for any bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, and except for bells for use on board ship when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).

Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers. Clock and watch cases.

Clothes line pulleys and reels and scrubbing

Cooking utensils (except for commercial processing machinery when the only copper products or copper base alloy products used are permitted by the terms of Order L-292 or by a specific authorization of the War Production Board granted pursuant to such order).

Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, heat exchangers, bearings, worm gears for speed reducers, and spray nozzles when the copper content of the brass in the nozzles does not exceed 80% and the tin content 2%).

Cutlery, including pocket cutlery (except when the only copper products or copper base alloy products used contain no nickel and are for rivets and lining of pocket cutlery).

Daubers for shoe polish.

Dishwashing machines (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-248 or by a specific authoriza-tion of the War Production Board granted pursuant to such order) and domestic

garbage grinders.

Dispensers, hand, for hand lotions, paper products, soap and straws.

Dog collars and other similar harness and equipment for pets.

Domestic ice refrigerators as defined in Order L-7-c. Domestic laundry equipment as defined in

Order L-6 (except that copper products or copper base alloy products may be used in the assembly of new domestic laundry equipment when such assembly is specifically authorized by the War Production Board under Order L-6; and except that copper products or copper base alloy prod-ucts may be used in the production of repair and replacement parts for domestic laundry equipment to the extent permitted by the terms of Order L-6).

Domestic mechanical refrigerators as defined in Order L-5.

Domestic vacuum cleaners as defined in Order L-18-b (except that copper products or

copper base alloy products may be used in the production of repair or replacement parts for domestic vacuum cleaners).

Electric blankets

Electric irons, portable, designed primarily to be used in ironing or pressing wearing ap-parel and having a self-contained heating element in which heat is generated by the passage of electricity (except that copper products or copper base alloy products may be used in the manufacture of current carrying parts and for plating)

Electric light bulbs and cord sets for Christ-mas trees, and bulbs and neon and fluorescent tubes for advertising and display

Electrical appliances, as defined in Order L-65 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-65).

Electrolytic devices for the removal and prevention of scale in boilers and condensers, Flashlights and lanterns powered by dry cell batteries (except when the only cop-

per products or copper base alloy products used are for the plating of parts necessary for conducting electricity other than cases). For other lanterns, see the item "Lanterns * * *" on this list.

Fans, electric, as defined in Order L-176 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-176 or by a specific authorization of the War Production Board granted pursuant to such

Flower pots, boxes and holders for same. Flower shears

Food dispensing utensils, devices and machines.

Fountain pens (except that copper products or copper base alloy products may be used as an undercoating in the plating of outside functional parts)

Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V and XII of Order L-42).

Furniture grommets.

Games as defined in Order L-81.

Garden tools and equipment.

Hair curiers, hair brushes and combs, shoe horns and button hooks.

Hand saw screws nuts and washers for attaching saw blades to the handle.

Hammers including mallets except heads for hammers and mallets when they are manufactured from scrap material generated by the plant in which they are intended to be

Health supplies, except the following: Acoustic aids,

Anaesthesia apparatus and supplies, Atomizers (medical use only), Diagnostic equipment and supplies, Hypodermic syringes and needles, Infant incubators, Instruments,

Laboratory equipment and supplies, Medicinal chemicals (limited to medical use only)

Operating room supplies and equipment, Ophthalmic products and instruments, Physical therapy equipment (limited to medical use only),
Respirators, resuscitators and iron lungs,
Rubber hospital sundries,

Splints and fracture equipment,

Sterilizers, blanket and solution warmers, Surgical and orthopaedic appliances (in-cluding artificial limbs and arms but not

including arch supports), Sutures and suture needles, and X-ray equipment and supplies.

Hooks, including hat and coat hooks. Ice cream freezers for use in the home

Insect screening. Kitchen utensils, devices and machines other than electrical appliances. For electrical appliances see the item "Electrical appliances * * *" on this list.

Kitchen and miscellaneous household articles.

Lace tips,

Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.

Lamps, electric (except that copper products

or copper base alloy products may be used for parts necessary for conducting electricity, but only in the case of non-portable lamps for use in hospitals or in industry, otherwise than in offices, or in the case of bicycle lamps of the generator type).

Lamps, other than electric (except when the only copper products or copper base alloy products used are for valves, controls, and wicks, and for burners for mantle type kerosene lamps).

Lanterns (except for generators, valves, controls and fonts). This item does not apply to lanterns powered by dry cell batteries which are covered by the item "Flashlights * * *" on this list.

Lawn sprinklers, mowers, seeders and rollers. Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under the heading "Building Supplies and Hardware" on this Livestock and poultry equipment (except for bull rings; and except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and wafer thermostats).

Loose-leaf binders.

Luggage fittings, trim and hardware. Manicure implements.

Match and pattern plates, matrices, and flasks.

Mattress buttons and furniture glides. Medals, including decorations.

Mirrors.

Motion picture and projection equipment (1) except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions and (ii) except for motion picture and projection equipment of the types the production and distribution of which is regulated by Order L-267 or Order L-325)

Name, identification, instruction and data plates.

Non-operating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.

Package handles and holders. Paint (except for ship bottoms)

Pari-mutuel, gambling and gaming machines, devices and accessories.

Pencils, mechanical (except that copper prod-ucts or copper base alloy products may be used as an undercoating in the plating of outside functional parts.

Phonographs or other record players.

Photographic equipment and accessories ((i) except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office; (ii) except for X-ray equipment; and (iii) except for photographic equipment and accessories of the types the production and distribution of which is regulated by Order L-267).

Pins (except when the only copper products or copper base alloy products used contain no nickel and are used solely for heads or caps for laundry net pins and laundry identification pins).

Pleasure boat fastenings, fittings, hardware, and motors,

Pole-line hardware.

Powder, except for non-decorative uses. Printing rollers (except to the extent that an

equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers or scrapings from old rollers).

Putty and scraping knives.

Radio receiving sets and vacuum tubes (except when their manufacture is permitted by the terms of Order L-265)

Razors operated by electricity (except for repair parts)

Razors not operated by electricity (except when the only copper products or copper base alloy products used in making safety razors or parts are for heads and for plating, and, in making straight razors or parts are for rivets, pins and washers.

Reclaimers for heating water.
Reflectors (except that copper products or copper base alloy products may be used as an undercoating in electroplating in connection with silvering).

Refrigerator display cases. Saddlery hardware and harness fittings.

Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L-190.)

Screens and points for oil wells. Seismograph loading pole couplings.

Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.

Signs, including street signs. (See also Order L-29.)

Slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, garter trimmings, hose supporters, personal hardware, pin fasteners, slides, and trouser trimmings; except as may be permitted by the terms of Order L-114 and eyelets, loops, staples, rivets, burrs and tacks for use on wearing apparel, except as may be permitted by the terms of Order

Slot, game and vending machines, including parking meters (except sanitary napkin vending machines when the only copper products or copper base alloy products used are for tumblers for locks).

Soda fountain equipment (except for repair and replacement parts manufactured in conformity with the inventory restrictions of Order L-38)

Sound equipment attachments for motion picture projection machines (except for attachments the production and distribution of which is regulated by Order L-325)

Sporting goods, and fishing and hunting equipment and supplies (i) except fishing equipment and supplies for commercial fishing use; and (ii) except ammunition made from copper base alloy products allotted to manufacturers for the purpose of making civilian ammunition.

Staples and staplers. "Staples" means any two-pronged metal fasteners made from wire or strip which are usually cohered and which are applied by a device especially designed for the purpose. The term "staples" does not include any fasteners applied by foot-operated or power-driven stitching machines, but it does include rolls of wire designed to be both formed and applied as "staples" by a hand-operated device. "Staplers" means any devices designed for the purpose of applying staples as fasteners. The term "staplers" includes among others, all devices commonly known as stapling machines and tackers, as well as hammers of the tacker type, but it does not include foot-operated or power-driven stitching machines.

Stationery supplies:

Desk accessories. (See also Order L-73.)
Office supplies. (See also Order L-73.)
Pencils. (See also Order L-227-b.) Pens and penholders.

Statues.

Stencils, adjustable and otherwise (except for hand cut stencils for marking shipments)

Sundials

Table flatware (except that copper products or copper base alloy products may be used as an undercoating in electroplating).

Telescopes.

Tent poles and parts. Thermos jugs and bottles. Tokens.

Toys.

Tying devices for laundry.

Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L-288.)

Umbrellas.

Valve handles.

Valves over 2-inch size (except seats, discs, stems, yoke sleeves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves (i) where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use other material dangerous or impractical or (ii) where and to the extent permitted by the terms of Order L-252 or by a specific authorization of the War Production Board granted pursuant to that order)

Voting machines.

Weather vanes.

Weight reducing and exercising machines.

MILITARY EXEMPTION LIST

(The effect of an item being on this list is explained in paragraph (f) (1) of the

Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.

Bicycle coaster brakes.

Binoculars.

Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).

Boxes, cans, jars and other containers (for radio and communications equipment and for powder charges).

Buttons and insignia for military uniforms when and to the extent that their manufacture is specifically authorized in writing by the War Production Board.

Carbonated beverage dispensing units and soda fountain equipment for use on board ship (functional parts subject to corresive action or which come in contact with food,

Conduits and pipe (for radio and electrical communications equipment).

Chronometer and watch cases

Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA-3 or higher only. Electric blankets.

Field ranges and ski stoves.

Fishing equipment and supplies for use on life boats and rafts.

Furniture hardware (for use within magnetic circle on board ship).

Hammers, including mallets.
Heaters, automotive (parts necessary for conducting electricity and radiators only)

Hoists, for handling powder, projectiles and explosives (for use on board ship). Hot water heater coils for hospital, laundry

and bakery projects.

Insect screening, when and to the extent that its manufacture is specifically authorized in writing by the War Production Board. Instruction and data plates of wrought ma-

terial of a gauge of 1/32d of an inch or less for use in aircraft, on board ship and on army ordnance fire control equipment (and of a gauge of 3/2d of an inch or less for use on board ship when name plates of such a gauge are specified by the Maritime Commission).

Instruction and data plates from cast material of a gauge of 5/32d of an inch or less or of 7/32d of an inch or less in the case of a ship builders name plate (for use on board ship but only if and to the extent specified by the specifications, other than performance specifications, of the govern-

mental agency acquiring the plate). Kitchen utensils devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to

the proper functioning of the parts). Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).

No. 175-2

Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.

Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on

Lighting equipment and accessories for use in aircraft, on board ship and for use in lighting aids for marine or aerial navigation, and for searchlights,

Locks and latches (for use on board ship) and padlocks (for use where non-sparking metal is necessary to prevent a hazard from explosives).

Mirrors, when they are to be installed on board ship and the only copper product or copper base alloy product used is for coat-ing the backing of the mirror to a thickness not in excess of .0015 inch.

Motion picture and projection equipment. Paint (for ship bottoms and flying boat hull bottoms)

Phonographs and other record players being produced on a rating of AA-3 or higher. Photographic equipment and accessories. Pins for hinges (for use on board ship).

Prescription scales (health supplies). Safety lamps, flame type (for use on board ship and for use in other places where there

is danger of explosion). Shells and caps for electric sockets (for use

in aircraft and on board ship)

(i) Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots, aircraft, Navy Bureau of Aeronautics and Army Air Force equipment and accessories, Navy winter N-1 suits including trouser and jackets, Signal Corps equipment and accessories, and submarine boat equipment, being produced on a rating of AA-3 or higher; and (ii) sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs, being produced on a rating of AA-3 or higher.

Sound equipment attachments for motion picture projection machines.

Telescopes

Unions and union fittings (for use on board ship).

Valve handles (for use within magnetic circle on board ship).

Valves (for use on board ship). Valves of vacuum type, up to 3 inches.

Note: Interpretations 1-4 are obsolete.

INTERPRETATION 5

USE OF COPPER IN THE MANUFACTURE OF CERTAIN DRAINS AND STRAINERS

Conservation Order M-9-c, amended December 10, 1941, specifically prohibited any person from using after March 31, 1942, any copper or copper base alloy in the manufacture of gutters, leaders or downspouts, or accessories thereto, and of all roofing items, to go on private buildings. provisions have remained in the order without interruption.

In addition, since May 7, 1942, paragraph (d) (1) of Order M-9-c (relettered as paragraph (c) (1) when the order was amended on October 4, 1943), has provided that no manufacturer may continue to manufacture from copper or copper base alloy, any article the manufacture of which, with cop-per or copper base alloy, is not specifically prohibited by the order, if it is practicable

to use any material less scarce than copper, brass or bronze to make the article.

For some time, many manufacturers have been making floor, roof, cesspool and shower drains and strainers out of galvanized steel or iron; and it has been demonstrated that the use for such purposes of this type of material instead of copper or copper base alloy is practicable for all uses to which these articles are put except their use in places where explosives are handled or stored or where explosive vapors may be present. Furthermore, the types of iron and steel used as well as zinc, are less scarce materials than copper or copper base alloy.

Accordingly, manufacturers are prohibited by Copper Conservation Order M-9-c from using brass or other copper and copper base alloy materials to make all roof, floor, cesspool and shower drains or strainers, even if the drains or strainers are not accessories to gutters, leaders or downspouts, or roofing items. An exception to the foregoing arises in the case of drains or strainers for floors in places where explosives are handled or stored or where explosive vapors may be present. (Issued Oct. 19, 1943.)

[F. R. Doc. 44-13251; Filed, August 31, 1944; 10:30 a. m.]

PART 1226-GENERAL INDUSTRIAL EQUIP-MENT

[Limitation Order L-38, as Amended Aug. 31, 1944]

INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel, copper, and other materials for defense, for private account and for export: and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.6 Limitation Order L-38-(a) Purpose and scope. The general purpose of this order is to assure that the limited quantities of refrigeration and air conditioning equipment being produced will be delivered to those persons who need it most; to explain the methods for applying for priority help when a buyer needs such equipment; and to limit manufacture to the extent necessary to avoid interference with war programs. An ultimate consumer may apply a MRO rating to get a new system or new parts to replace his equipment which has worn out, but in most cases he must apply to the War Production Board to get additional equipment. Dealers and distributors must have orders rated AA-5 or higher to get new systems or parts for inventory. Manufacturers may not produce any of certain kinds of equipment, and have quotas for other kinds. It will be noted that certain types of equipment, such as domestic refrigerators, are not included in this order, as they are covered by other orders of the War Production Board.

Definitions

(b) Definitions. For the purpose of this order:

(1) "System" means any refrigerating or air conditioning system, consisting of an assembly or combination of machinery, equipment, or other apparatus designed primarily to lower temperature or remove water vapor, directly or indirectly, by mechanical, chemical or physical means. The term does not include a domestic mechanical refrigerator, a domestic ice refrigerator, or heat exchanger equipment, as defined, respec-tively, in paragraphs (b) (5), (b) (6) and (b) '9) of this order; or coils or low sides which are incorporated into "food processing machinery" (as defined in Order L-292). The term includes the equipment used in a domestic air conditioning system for reducing the temperature of air, but not the furnace or warm air distribution system. It does not include electric fans (see Order L-123 and Order L-176), nor does it include an ice storage house requiring no refrigeration equipment (see Order L-41, as to when permission to construct is necessary).

(2) "Parts" includes any assemblies of parts, equipment, insulated enclosures and cold storage doors (except insulation materials used therein), accessories, implements or devices designed or intended for incorporation or use in a system or for installation therewith in causing it to perform its functions, except the

following materials:

Liquid or gaseous refrigerants
Oil or other lubricants
Cleaning fluids or other solvents
Anti-freeze fluids
Drying agents
Paints, enamels, varnishes, thinners and
seam fillers

Wax polishes and rust preventives Soldering and brazing fluxes and welding

Non-metallic filters Belts and belting

Gaskets

Packing

Insulation materials

Small hardware, such as nuts, bolts, washers, screws and cotter pins

(3) "Producer" means any person to the extent that he is engaged in the manufacture, fabrication, or assembly of new systems or parts, or industrial type extended surface heating equipment, or industrial type humidifying equipment. The term does not include any sales or distribution outlet of a producer.

- (4) "Deliver" means: (i) to transfer physical possession, title, or ownership; or (ii) to install for use (but not including a temporary installation solely for the purpose of testing the system or part, or the moving of an installed system from one point on the owner's property to another); or (iii) to place in the hands of any carrier or otherwise in transit for transfer of possession to another person; (regardless of whether such transfer, installation, or shipment is for the purpose of sale, trade, loan, lease, consignment, or other type of transaction).
- (5) "Domestic mechanical refrigerator" means any refrigerator for house-

hold use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating), but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(6) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box

for home use.

(7) "Industrial type extended surface heating equipment" means any apparatus employing a heat transfer element and designed primarily to increase the temperature of gaseous matter, in connection with the operation of any refrigerating or air conditioning system.

(8) "Industrial type humidifying equipment" means any apparatus designed primarily to add water vapor to gaseous matter, in connection with the operation of any industrial or commercial refrigerating or air conditioning system, or for any purpose other than the health or comfort of persons.

(9) "Heat exchanger equipment" means an assembly, bundle or nest of bare or finned tubes installed in a shell or pressure vessel, and designed for the transfer or exchange of heat between two or more fluids (liquids, gases, or vapors), without the use, as a refrigerant, of (i) ammonia, carbon dioxide, methyl chloride, sulphur dioxide, or chlorinated hydro-carbon refrigerants (trichloromonofluoromethane monochlorodifluoromethane. dichlorodifluoromethane. dichloromonofluoromethane, trichlorotrifluoroethane, and dichlorotetrafluoroethane), or (ii) brine or water which has been cooled by the use of ice or any of such refrigerants.

(10) "For direct use by the Army, Navy, Maritime Commission or War Shipping Administration" means for direct use by the regular personnel or regular employees of such an agency only (or "for military exchanges or service departments" under Priorities Regulation 17), but regardless of whether delivery is made by the producer or dealer directly to such an agency, or through or to an intermediate dealer or contractor. The term does not mean for use in any privately operated plant or shipyard financed by, or controlled by, any of such agencies, or operated on a cost-plus-fixed-fee basis.

Restrictions on Deliveries

(c) AA-5 or higher ratings required. No person shall deliver or accept delivery of any new system, any new parts, any new industrial type extended surface heating equipment, any new industrial type humidifying equipment or any reconditioned system containing a new condensing unit (with or without motor or controls) or containing a new compressor unit, except under an order rated

AA-5 or higher. Certain exceptions are made in (f) below. Paragraph (e) explains what form should be used in applying for ratings.

(d) Restriction on use of blanket MRO ratings; exceptions to this rule. (1) The blanket MRO ratings (as defined in (e) (2) of Priorities Regulation 3) assigned by CMP Regulations 5 and 5A or any other regulation, order, or certificate may not be used to get any new system, condensing unit (with or without motor or controls), compressor unit, low side, evaporator, cold storage door, insulated enclosure, or any reconditioned system containing a new condensing unit (with or without motor or controls) or containing a new compressor unit, unless it is needed to replace equipment of substantially the same size or capacity which has become worn out or damaged beyond repair while in the purchaser's possession and unless he has had it at least ninety days. In addition, no blanket MRO rating may be used to get any new parts to enlarge the size or capacity of any used or reconditioned system or to improve its design or change its function. If new equipment is needed for the purposes prohibited under these rules, it should be applied for in accordance with (e)

- (2) The restrictions in (d) (1) above do not apply to the use of AA-1 blanket MRO ratings assigned by CMP Regulation 5, or 5A or any preference rating order, providing the equipment is to be installed and operated in the production area, cafeteria or restaurant of an industrial plant (excluding offices, recreation rooms, conference rooms, drafting rooms, first aid rooms, change and rest rooms, and dispensaries).
- (e) How to apply for ratings. (1) When an ultimate consumer needs a new system, new parts, new industrial type extended surface heating equipment or humidifying equipment, and may not use his MRO rating to get them, he should apply on Form WPB-617, or other appropriate construction form when permission for construction is required. Form WPB-1319 should be used in all other cases. (These forms are not required for equipment to be delivered for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.)
- (2) Distributors or dealers who need such new equipment for inventory should extend their customers' ratings, and may apply on Form WPB-547 (formerly PD-1X) to get additional inventory from producers, or on Form WPB-541 (formerly PD-1A) if they buy from distributors.
- (3) Applications for new systems or parts for export should be made on Form WPB-1319 and such other applicable

forms as may be required by FEA regulations, or in accordance with Priorities Regulation 9.

(f) When rated orders not required. A rated order is not necessary under this order for the following transactions (although other orders, such as L-123, may still require a rating for particular parts, such as electric motors):

(1) When a repairman under CMP Regulation 9A or Order P-126 installs any part for a farmer or householder, in repairing a system owned or operated by the latter, if the repairman merely replaces a part of substantially the same size or capacity which the repairman knows or has reason to believe has become worn out or damaged beyond repair while in the purchaser's possession and after he has had it for at least ninety days.

(2) The delivery and receipt of a complete new farm milk cooler, or a new system to be used in a farm milk cooler owned by a farmer, when the purchaser has a purchase certificate from a county farm rationing committee under applicable orders of the War Food Administration. A dealer who has received a specific order from a farmer having a purchase certificate may apply a preference rating of AA-3 to his order, in accordance with Priorities Regulation 3, to get a farm milk cooler or system to fill the farmer's order, or to replace in his inventory the cooler or system used to fill the order. Ratings to afford the dealer an additional inventory, however, must be applied for on WPB-547 or WPB-541 as explained in (e) (3) above.

(3) (i) Any transfer to a trustee or receiver for the benefit of creditors or (ii) the return of an unused system or parts to the person from which purchased (although after such return the equipment remains subject to this order as new equipment).

(4) Deliveries on Z-1 orders. A rating of AA-5 or higher is not necessary for the delivery of any insulated enclosure or parts on an order identified by the allotment symbol Z-1. However, special restrictions on the delivery of condensing units, compressors, and temperature and refrigerant controls are contained in paragraph (g) (3).

(g) Restrictions on production—(1) New systems, and parts for new systems. During the calendar year starting January 1, 1944, and during each subsequent calendar year, no person shall manufacture or assemble more of any "class" of new systems or parts of new systems

(not including parts for maintenance and repair) as shown on Schedule A, than his quota for that class. There is no quota for any person for any item which is followed by the figure "0" in the column headed "Quotas" in the schedule; except that the items marked with an asterisk may be produced to the extent necessary to fill accepted orders for items to be delivered for direct use by the Army, Navy, Maritime Commission, War Shipping Administration, or Veterans' Administration. Where a quota is given in that column for a particular item, each person's quota for that class is to be computed in terms of aggregate dollar volume (producer's sales price at the factory, exclusive of installation charges), and is the greater of the following two quantities:

(i) His dollar volume of all unfilled orders on hand rated AA-5 or higher for that class of new system or parts; or

(ii) The percentage, as specified in the "Quotas" column of Schedule A, of the aggregate dollar volume of that class of new systems or parts produced by him during the calendar year 1940, in addition to his current production required to fill all orders, for direct use by the Army, Navy, Maritime Commission, War Shipping Administration, or Veterans' Administration.

Any person may manufacture and assemble parts for maintenance and repair without reference to these quota restrictions and should not include them in the above quotas.

(2) Production under special authorizations. Additional quotas may be authorized under special provisions. For example, see Direction 1 on evaporative coolers.

(3) Production under Priorities Regulation 25. Any person who wishes to produce any items of a "class" for which he has no quota or a limited quota under Schedule A, may apply for permission to do so as explained in Priorities Regulation 25. The following special restrictions apply to all production authorized under Priorities Regulation 25: No person may use in the manufacture or assembly of any item on Schedule A, as authorized under Priorities Regulation 25, any new condensing unit, compressor, temperature controls, except:

(i) Condensing units, compressors, or controls obtained from excess stock under Priorities Regulation 13, or the use of which in such production has been authorized in accordance with Direction 4 to Priorities Regulation 1; or

(ii) Condensing units, compressors or controls bought on an order identified by the allotment symbol Z-1 assigned under Priorities Regulation 25, and supplied by a manufacturer, either directly, or through a dealer, jobber, or manufacturer's distribution outlet. A dealer, jobber, or outlet must not deliver, to fill such an order, a new condensing unit, compressor or control from stock or one obtained by use of a rating assigned on Form WPB-547 (PD-1X), but may obtain the condensing unit, compressor or control only by extending the Z-1 symbol (and AA-5 rating, if any) to his supplier after he has received a specific order bearing such an allotment symbol.

Miscellaneous Provisions

[Note: Paragraph (h) formerly (i) redesignated, former paragraph (h) deleted Aug. 31, 1944]

(h) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless this order states otherwise.

(2) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(3) Appeals. Any appeal from the provisions of this order, other than the production restrictions of paragraph (g), shall be made by filing a letter in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provisions appealed from stating fully the grounds of the appeal. No appeal should be filed from the restrictions of paragraphs (g) (1) or (g) (2).

(4) Communications. All reports to be filed and other communications concerning this order (except appeals), unless otherwise directed, should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-38.

Issued this 31st day of August 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

Note: Lists A, B, C, and D revoked Aug. 31, 1944.

SCHEDULE A-PRODUCTION QUOTAS FOR CLASSES OF SYSTEMS AND PARTS

[Schedule A added Aug. 31, 1944.]

The following classes of systems and parts are to be used in figuring the permitted quotas for any calendar year under paragraph (g) (1). If the producer's quota for any class (not marked "0") would be greater under the paragraph (g) (1) (i), he can produce enough of that class needed to fill all unfilled orders on hand rated AA-5 or higher for that class, referred to as "r. o." (rated orders) in the Schedule below. If it would be greater under (g) (1) (ii) for the calendar year, his quota for the class is the specified percentage of the dollar volume of that class made by him in 1940, plus the quantity needed to fill all unfilled orders for direct use by the Army, Navy, Maritime Commission, War Shipping Administration, and Veterans' Administration. (Parts for maintenance and repair are not counted in the quotas).

The first column below describes each class of systems or parts for which quotas are fixed. The second column shows the alternative quotas that each producer is allowed.

system or part: 1. High side equipment of all types, including (but not limited to)	6	Quotas	
condensing units, compressor units, centrifugal machines, and con-	25%	or r. o.	
2. Low side equipment of all types, including (but not limited to) fin coils, (gravity and forced air) unit coolers, and plate type evaporators.	25%	or r. o.	
3. Air conditioning units, self-contained, store type, under 3 h. p	0.	× 1.00	
4. Air conditioning units, self-contained, store type, 3 h. p. and over	25%	or r. o.	
6. Beer precoolers	0.		
7. Blood plasma cabinets, rivet coolers and industrial low temperature cabinets, except for food freezing or food storage	25%	or r. o.	
9. Bulk beverage dispensing equipment	0.		
10. Counter and back-bar refrigerators	0.		
11. Display cases, refrigerated, of all types			
12. Drinking water coolers (non-mechanical)	0.		
13. Drinking water coolers (mechanical), bottle type	0.		
14. Drinking water coolers (mechanical), pressure type, under 5 gals.			
per hour capacity (based on ambient temperature of 90° F. while			
reduced water from 80° F. inlet to 50° F. outlet using a waste- water precooler using 60% spill)	0		
15. Drinking water coolers (mechanical), pressure type, 5 gals. per	0.		
hour and over capacity (based on ambient temperature of 90°			
F. while reducing water from 80° F. inlet to 50° F. outlet using a			
waste-water precooler using 60% spill)	25%	or r. o.	
16. Evaporative coolers ("desert coolers") 2000 c. f. m. and over	25%	or r. o.	
17. Evaporative coolers ("desert coolers") less than 2000 c. f. m			
18. Farm freezers (for the freezing and storing of food on a farm)			
19. Home freezers and storage cabinets			
20. Ice cream freezers, 20 qt. capacity and less 1		- Tal 19	
21. Ice cream and frozen food dispensing equipment			
22. Ice cube makers, self-contained, cabinet type			
23. Low temperature cabinets, commercial, for food freezing or food			
storage, other than for ice cream		or F o	
25. Salad coolers (Bain Marie), mechanical		01 1. 0.	
26. Soda fountain equipment, refrigerated, of all types 1			
27. Walk-in coolers (not including beer pre-coolers)		or r. o.	
28. All other systems and insulated enclosures			
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¹ May be built to fill orders for the Army, Navy, Maritime Commission, War Shipping Administration, or Veterans' Administration.

2 See (g) (2) of the order.

Note: The name or description of any "class," as listed above, includes all fixtures, items or parts which are within the meaning of such name or description as customarily used within the trade or industry; and does not include any fixture, item or part not within such meaning. This applies in all cases, even though a particular fixture or item in a certain class could be used for the same purpose, or a similar purpose, as an item or fixture in another class.

Examples. A home freezer may not be produced on the theory that it could or may be used as an industrial low temperature cabinet; nor may an industrial low temperature cabinet be produced for delivery as a home freezer. A beer pre-cooler may not be produced on the theory that it could or may be used as a walk-in cooler; nor may a walk-in cooler be produced for delivery as a beer pre-cooler.

[F. R. Doc. 44-13253; Fried, August 31, 1944; 10:31 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

|General Conservation Order L-89, as Amended Aug. 31, 1944|

ELEVATORS AND ESCALATORS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of elevators and escalators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

- § 1226.32 General Conservation Order L-89—(a) Definitions. For the purpose of this order:
- (1) "Elevator" means any hoisting or lowering mechanism, equipped with a car or platform which moves in guides in a substantially vertical direction; including electric, hydraulic and hydroelectric elevators, electric dumbwaiters, home lifts and elevettes; but excluding mine material hoists, man lifts, platform lifts and portable elevators. The term shall also mean inclinators, and electrically operated elevating devices appurtenant to stationary stairways.

 (2) "Escalator" means a moving in-

(2) "Escalator" means a moving inclined continuous stairway or runway used for raising or lowering persons.

(3) "Order" means any commitment or other arrangement for the ultimate delivery of an elevator, escalator, or parts or accessories therefor within the United States or Canada.

(4) "Export order" means any commitment or other arrangement for the ultimate delivery of an elevator, or elevator or escalator parts or accessories therefor, outside the United States or Canada.

(5) "Approved order" means (i) any order for a new elevator bearing a preference rating of AA-5 or higher authorized on Form WPB-617 (formerly PD-200), except an order for a new elevator to replace the existing one or to install in an existing shaft, (ii) any order for parts or equipment for an elevator or escalator bearing a rating of AA-5 or higher involving less than \$500, exclusive of installation labor costs, except an order for spare or maintenance parts not required for immediate use if, by its fulfillment, the parts inventory of the purchaser is increased beyond \$50 for each elevator operated by him or if his total purchase of such parts would thereby exceed \$100 for each elevator in any calendar year, or (iii) an order for repair or maintenance parts in whatever amount may be the minimum necessary when there has been an actual breakdown, or suspension of operations of an elevator or escalator is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. No order shall be subdivided for the purpose of coming within subdivision (ii) of this subparagraph. The term "any order" includes a group of orders for equipment for one or more elevators or escalators where all of the equipment is customarily purchased as part of a single order.

(6) "Maintenance" means the minimum upkeep necessary to continued operation of an elevator or escalator in sound working condition, and "repair" means the restoration of an elevator or escalator to sound working condition when rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(b) Restrictions on accepting orders or export orders. (1) No person shall manufacture an escalator except as authorized under Priorities Regulation 25, and no person shall accept an order for delivery of an escalator except for one

manufactured in accordance with authorization given under that regulation.

(2) The following restrictions apply to acceptance of an order or an export order for a new elevator or for elevator or escalator parts or accessories. (i) No person shall accept an order, except an approved order, without authorization in writing from the War Production Board. Application for authorization shall be filed by the purchaser with the War Production Board on Form WPB-1236 in accordance with instructions contained on the Form. The War Production Board may grant an application filed with it on such conditions, if any, as it may prescribe. (ii) No person shall accept an export order without approval by the Foreign Economic Administration of an application for a license to export the items covered by such order to which a rating has been assigned by the Foreign Economic Administration in accordance with authority delegated to it by the War Production Board. Applications for export licenses shall be filed with the Foreign Economic Administration and shall include a description of the elevators or elevator parts or accessories.

(3) Any person may accept and fill an unrated order for an elevator as provided in Priorities Regulation 24. The provisions of Priorities Regulation 24 with respect to unrated orders do not apply to the sale or production of escalators, and escalators may be sold on unrated orders, as provided in paragraph (b) (1) of this order, without regard to the restrictions of that regulation.

(c) Restrictions on use of materials. No non-ferrous metals (except aluminum and magnesium) or stainless steel shall be used in the manufacture of car enclosures, facias, hanger covers, car doors or gates, hoistway doors, car or landing thresholds or lace plates of operating or signal fixtures; or in the manufacture of parts therefor.

(d) Exemptions, (1) The restrictions of paragraphs (b) and (c) of this order shall not apply to any elevator or elevator parts, equipment or accessories, to be installed and used aboard any ships owned or operated by the Army, Navy, Maritime Commission or War Shipping Adminis-

(2) The restrictions of paragraph (b) shall not apply to an order placed by a manufacturer or dealer for elevator or escalator parts, equipment or accessories to be delivered for further manufacture or for resale for maintenance and repair purposes.

(e) Miscellaneous provisions—(1) Records and reports. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time require. Specific reports and questionnaires will be subject to the approval

of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time. Where the limitations imposed by other L, M or R orders are applicable to the subject matter of this order, the most restrictive limitation shall apply

limitation shall apply.

(3) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) Appeals. Any appeal from the provisions of this order other than the restrictions of paragraph (b) (1) shall be made by filing Form WPB-1477 (formerly PD-500) or by letter in triplicate, referring to the provisions appealed from and stating fully the grounds for the appeal. The appeal shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) (1).

(5) Communications. All reports required to be filed hereunder, and all communications, concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L-89.

Issued this 31st day of August 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

INTERPRETATION 1

Paragraph (b) (2) provides that no person shall accept an order (except an approved or-der) unless the order has been authorized on Form WPB-1236 (this restriction not applying to acceptance of orders exempted under paragraph (d)). An "approved order" (as defined in paragraph (a) (5) (iii)), includes an order for repair or maintenance parts for an elevator or escalator where suspension of operations is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. A suspension of operations may be considered imminent if the condition of the cables of an elevator or the steps or hand rails of an escalator or of any other parts of an elevator or escalator would make definitely dangerous its continued operation without making the repairs; and such condition may be assumed where the cables, steps, hand rails, or other parts have been condemned pursuant to a state law or municipal ordinance requiring suspension of operations unless their repair or replacement is made within the period (normally 30 to 90 days) speci-fied on the inspector's report. However, a possible future breakdown cannot be considered as meaning that suspension of operations is imminent. [Issued May 29, 1944]

INTERPRETATION 2

ELEVATORS AND ESCALATORS; ORDERS FOR MATERIAL AND LABOR EXCEEDING \$500

Some question has arisen as to whether an order rated as AA-5 or higher pursuant to CMP Regulation 5 or 5A is an "approved order" as defined in paragraph (a) (5) (ii) of Order L-89 if material alone cost less than \$500 but material and labor installation together exceed \$500. An order for material costing less than \$500, other than material to be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is an approved order, as defined in Order L-89, even though the cost of both material and labor exceeds \$500 and even though installation is made by the seller of the material as a normal business practice under a single fee for both material and labor. However, an MRO order for material costing less than \$500, which will be in-corporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is not an approved order, as defined in Order L-89, if the material and labor together amount to more than \$500 and the installation is made by the seller of the material as a normal business practice under a single fee. (See Interpretations 8 and 11 to CMP Regulation 5.) [Issued May 29, 1944]

[F. R. Doc. 44-13250; Filed, August 31, 1944; 10:30 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-268, Revocation]

OXY-ACETYLENE APPARATUS

Section 1226.102 General Conservation Order L-268 is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Order L-123, as amended.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13261; Filed, August 31, 1944; 10:32 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, as Amended Aug. 31, 1944]

FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77 General Limitation Order L-292—(a) Definitions. For the purpose of this order:

(1) "Processor" means any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution, including the operation of a food processing plant on a farm. It does not include (i) a person to the extent

that he engages in the production or raising of crops, livestock, or other farm produce; or (ii) a person to the extent that he prepares food for consumption on the premises (such as a hotel or restaurant), or distributes it at retail (such as a grocery or retail meat market); or (iii) governmental agencies processing food for governmental use, hospitals, charitable institutions processing food for their own use, or educational institutions.

(2) "Food processing machinery" means new machinery and equipment, of the kinds specified in Schedule A with a retail sales value of \$50 or more for each machine or piece of equipment, excluding (i) refrigerating machinery and equip-ment as defined in Limitation Order L-38, (ii) machinery and equipment used on a farm for production of food or tobacco or on a fishing vessel for handling food, prior to delivery to a processor, (iii) scales and balances as defined in limitation Order L-190, (iv) conveying machinery as defined in Limitation Order L-193, (v) machinery and equipment used for packaging, filling or labelling containers, except as otherwise indicated in Schedule A. (vi) oil processing machinery and equipment used in processing animal, fish and vegetable fats, oils and greases, and (vii) water filters as water-treating equipment.

(3) "Manufacturer" means any person engaged in the making or assembling of food processing machinery; and includes his subsidiaries and affiliates in

the same business.

(4) "Dealer" means any person except a manufacturer engaged in the business of buying and reselling food

processing machinery.

- (5) "Approved order" means any order for delivery (under sale, lease, consignment or otherwise) of food processing machinery bearing (i) a rating of AA-5 or higher assigned on any WPB or FEA Form listed in paragraph (c) or (ii) a CMP Regulation 5 or 5A rating applied to replace an existing piece of machinery of substantially the same size and capacity, worn out or damaged beyond repair.
- (b) Restrictions on deliveries. (1) No person shall deliver or accept delivery of food processing machinery except on an approved order. Any person who places an approved order shall in addition to the certification used in applying the rating (Priorities Regulation 3 or 7) give the form number upon which he received the rating, or if the rating was assigned by CMP Regulation 5 or 5A, he shall add to the certification a statement substantially as follows: "This rating was assigned by CMP Regulation 5 (or 5A) and the machinery is ordered to replace other machinery of substantially the same size and capacity, worn out or damaged beyond repair.
- (2) The restrictions of subparagraph (1) above shall not apply to: (i) Deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace in inventory machinery delivered by him to fill approved orders, (ii) delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commis-

sion, or War Shipping Administration, (iii) delivery to a manufacturer of food processing machinery to be incorporated into other food processing machinery, or (iv) delivery of food processing machinery from one portion of an enterprise manufacturing, building or assembling it to a portion using it, when the material for its production was obtained by the manufacturer in accordance with Direction 34 of CMP Regulation 1.

(c) Instructions for obtaining an approved order other than pursuant to a CMP Regulation. (1) Processors seeking food processing machinery for delivery within the United States or Canada, in order to get a rating should file:

(i) Form WPB-617 with the War Production Board for any food processing machinery which is to be installed as part of a project approved under Order

(ii) Form WPB-748 with the War Food Administration for all other dairy, egg or poultry processing equipment.

(iii) Form WPB-576 with the War

Food Administration for all other canning machinery or equipment.

(iv) Form WPB-3155 with the War Food Administration for all other meat canning, meat packing and meat processing machinery or equipment.

(v) Form WPB-541 with the War Production Board for any other food proc-

essing machinery.

(2) All persons, other than processors. seeking any food processing machinery for delivery within the United States or Canada should file Form WPB-541 with the War Production Board.

(3) All persons, including processors, seeking any food processing machinery for export by them to other than Canada should file Form WPB-541 or Form FEA-419, whichever is appropriate with the War Production Board.

(d) Restrictions on manufacture. No manufacturer shall make or assemble any new food processing machinery or equipment of the kinds listed on Schedule B except as permitted by production quotas assigned under paragraph (f) of this order. The limitations and restrictions of this paragraph shall not apply to the manufacture of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were made before June 5, 1943.

(e) Conservation of critical materials. No person shall use stainless steel or tin, copper or copper base alloys, secondary copper-nickel alloys (white metal) made from scrap or remelt, nickel or chromium, in the manufacture or assembly of any food processing machinery except in contact parts or corrosion (As used herein "contact parts" means those parts which come in direct contact with any food products. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.) These restrictions on the use of materials shall not apply to repair parts for food processing machinery produced before June 30, 1943, if parts made of other material would not be interchangeable with the parts to be repaired or replaced. This paragraph also does not restrict the use of copper and copperbase alloys in electrical conductors, bearings, valves, instruments, motors, worm

driven gears, and cappers.

(f) Production quotas. The War Production Board may at any time issue schedules as amendments to this order, fixing production quotas for certain types of food processing machinery. From the effective date of any such schedule no manufacturer may carry on production except as permitted by the schedule or schedules applicable to the food processing machinery made or assembled by him. The reference "quota provisions of paragraph (g) (2) (ii) of Order L-292" in schedules issued by the War Production Board before March 11, 1944 shall, for the purpose of such schedules, mean this paragraph (f) of Order L-292.

(g) Miscellaneous provisions-(1) Reports. On or before the 15th day of each calendar month, each manufacturer shall file a report on Form WPB-2721. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

(2) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as

amended from time to time.

(3) Violations. Any person who wilfully violates any provision of this order. or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) [Deleted Aug. 31, 1944.]

(5) Communications. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-292.

(h) Exceptions and appeals—(1) Production under Priorities Regulation 25. Any person who wants to make or assemble more food processing machinery or equipment (including the kinds listed in Schedule B) than the quotas fixed under paragraph (f) of this order and schedules issued in accordance with that paragraph (including a person who has no quota under this order or the applicable schedule), may apply for permission to do so as explained in Priorities Regulation 25. Any quota restrictions in the applicable schedules based upon the necessity of having rated orders on hand do not apply to production authorized under that regulation.

(2) Appeals. Any appeal from the provisions of this order other than the quota restrictions of paragraph (d), paragraph (f) and the schedules issued under paragraph (f), should be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant to which the appeal relates. No appeal should be filed from the quota restrictions of paragraph (d), paragraph (f) or the schedules issued under paragraph (f).

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery" under paragraph (a) (2).

1. Baking and macaroni processing ma-

chinery and equipment. This term includes all preparation and processing machinery and equipment, and slicing and wrapping ma-chinery used in commercial bakeries.

2. Brewing and winery machinery and

equipment, including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and

equipment.

- 3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, freezing, and fresh packing of fruits, vegetables, fishery products including fishery by-products) and all other human or animal food, It also includes preparation machinery and equipment used for dehydrating such foods. It does not include (i) preparation equipment for meat and meat products (ii) home canning and home dehydrating equipment (iii) container sealing and closing and jar capping machines (iv) refrigerating equipment, and (v) steam jacketed kettles regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, as governed by Limitation Order I-182. (Machinery for filling, labeling and casing dehydrated foods is covered by Order L-332.)
- 4. Coconut shredding and processing equip-

5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger. 6. Confectionery machinery and equip-

- 7. Dairy, egg and poultry processing ma-chinery and equipment used in the commer-cial processing of milk and milk products, eggs and poultry, including bottling, bottle capping and bottle labeling machinery and equipment and wrapping machinery but ex-cluding (i) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (ii) machinery or equipment covered by the provisions of Limitation Order L-257
- 8. Flour, grain, feed milling and processing machinery and equipment and seed cleaning equipment.

9. [Deleted Nov. 22, 1943] 10. [Deleted Mar. 11, 1944]

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes power-driven disc and blade saws (of fractional horsepower or more), band saws (1 horsepower or more), slicers (1 horsepower or more), and grinders (1 horsepower or more), and all other machinery and equipment used in the preparation and proc-essing of meat products, filling, labelling and casing machinery, except (i) home canning equipment, (ii) container sealing and closing and jar capping machines, and (iii) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labelling machinery and equipment but excluding refrigeration machinery and equipment.

13. Sugar processing machinery and equip-

14. Tobacco processing machinery and equipment, including wrapping machinery.
15. [Deleted Mar. 11, 1944]

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless spe-cifically provided for under the terms of paragraph (f)

1. [Deleted Mar. 11, 1944]
2. [Deleted Mar. 11, 1944]
3. All coconut shredding and processing

equipment.

- 4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated
 - 5. All confectionery machinery.
 - [Deleted Mar. 11, 1944] [Deleted Mar. 11, 1944]

 - [Deleted Mar. 11, 1944] [Deleted Mar. 11, 1944] [Deleted Mar. 11, 1944] [Deleted Mar. 11, 1944] 10.

 - [Deleted Mar. 11, 1944] [Deleted Mar. 11, 1944]
- 14. Tobacco processing machinery and equipment, including wrapping machinery.

SCHEDULE C

[Deleted Mar. 11, 1944]

SCHEDULE D

[Deleted Mar. 11, 1944]

INTERPRETATION 1

FOOD PROCESSING MACHINERY

Paragraph (a) (5), in defining "approved orders" for food processing machinery, includes orders bearing a preference rating of AA-5 or higher assigned on certain specified forms (WPB-617, 576, 748, etc.) These forms in some cases call for the name and address

of the supplier. In these cases, the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-perminute dairy can washer costing \$1000 may not be used to get a 6-can-per-minute can washer costing \$2500. Similarly, a rating for a copper lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited. [Issued March

31, 1944.]

FOOD PROCESSING MACHINERY

In accordance with paragraph (f) of General Limitation Order L-292, as amended, certain quota schedules have been established limiting the amount of controlled materials which may be used in manufacturcertain classes of food processing ing certain classes of food processing machinery during a specified quota period. The quota is a percentage of the average annual amount of such material consumed during a specified base period. The percentage applies to each controlled material (steel, copper or aluminum) separately. No part of the percentage of one controlled material shall be added to the total percentage of another. However, the permitted percentage of a particular controlled material may be divided in any way between the sev-eral categories of such material. For example: where a manufacturer is permitted to consume during the quota period 110% of the average annual amount of steel and copper he consumed during the base period, he is not permitted to apply part or all of his steel quota to his copper quota and thereby exceed his copper quota of 110%. However, he may consume during the quota period such amount of carbon steel and such amount of alloy steel as he chooses provided the aggregate does not exceed 110% of the average annual amount of steel consumed during the base period. This rule is subject to the restriction of any order of the War Production Board against the use of a higher grade or larger quantity of material than is necessary (for example, see paragraph (c) (1) of Order M-9-c, dealing with copper). [Issued April 3, 1944.]

[F. R. Doc. 44-13256; Filed, August 31, 1944; 10:32 a. m.]

PART 3290-TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-138, as Amended Aug. 31, 1944]

ISTLE

§ 3290.261 Conservation Order M-138—(a) Definitions. For the purposes of this order: (1) "Istle" means raw unprocessed

pita and palma istle of the grade "fair

average quality" only.
(2) "Istle product" means yarn, roving, or twine or products made therefrom proce red from "istle," alone or in combination with other fibers.

(3) "Processor" means any person who processes "istle" or any "istle prod-

(4) "Damaged istle" means "istle" that has been rejected by Defense Sup-plies Corporation, or "istle" upon which an adjustment has been made by an insurance adjuster as a result of any kind of damage making a given bale or bales unsuitable, wholly or in part, for use in the manufacture of products permitted by this order.

(5) [Deleted July 5, 1944] (6) [Deleted July 5, 1944]

- (b) Importation of istle. The importation of istle and istle products is subject to the provisions of General Imports Order M-63 as amended from time to time.
- (c) Processing restrictions. (1) No person shall put into process any istle or istle product, except for incorporation into any of the following products:

(i) Rope.

(ii) Twine, provided only palma istle is used.

(iii) Any product for ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States, the Maritime Commission or War Shipping Administration.

(iv) Any product, for the manufacture of which any istle or istle product is allocated in accordance with paragraph

(2) No processor shall use in any calendar month more than 25 per cent of the quantity of palma istle which he used in the period from January 1, 1944, through March 31, 1944.

(d) Restrictions on the use of damaged istle and damaged istle products. Any processor or dealer who has in his possession damaged istle defined in paragraph (a) (4), or istle products defined in paragraph (a) (2) that are damaged, shall report to the War Production Board the nature of the damage and the quantity not suitable for the manufacture of the products, or for the end uses permitted by this order. The report shall be by letter setting forth all pertinent facts, including a statement of the portion of each bale or package actually damaged. After making that report and receiving from the War Production Board an acknowledgment which does not object to his claim of damage, he may then use or dispose of the portion of each bale or package, actually damaged and so reported, free from the restrictions of this order. (Note: See paragraph (i).)

(e) Control and allocation. The War Production Board may from time to time allocate the supply of istle, and istle products, and specifically direct the time, manner and quantities in which deliveries to or by particular processors shall be made or withheld. It may also direct, permit, or prohibit particular uses of istle, or istle products, by any processor, in connection with the allocation of such material to him. Any direction, prohibition or allocation, pursuant to this paragraph, must, to be valid, be in writing and in the name of the War Production

Board.

(f) Restrictions on deliveries. No person shall accept delivery of, or purchase any istle or istle product, for any use prohibited by this order. No person shall sell or deliver any istle or istle product to any person whom he knows or has reason to believe is not entitled to receive the same, or to any person who he has reason to believe will put such material to a use prohibited by this order.

(g) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the

appeal.

(h) Applicability of regulations. This order and all transactions affected thereby are subject to all the applicable provisions of the regulations of the War Production Board, as amended from time to time.

(i) Reports. Any person who acquires or puts into process any istle shall report on Form WPB-914, formerly PD-469-Part 1, as required on the form. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Persons affected by this order shall file such other reports and questionnaires as may from time to time be required, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act

(i) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference: M-138.

(k) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities as-

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13258; Filed, Auugst 31, 1944; 10:32 a. m.]

PART 3291—CONSUMERS DURABLE GOODS General Limitation Order L-140-a as Amended Aug. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals used in the production of cutlery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.175 General Limitation Order L-140-a—(a) Definitions. For the purposes of this order:

(1) "Cutlery" means any professional food processing cutlery, as defined in Schedule A, any professional kitchen cutlery, as defined in Schedule B, any household kitchen cutlery, as defined in Schedule C, any household table cutlery, as defined in Schedule D, any pocket cutlery, as defined in Schedule E, any scissors, shears and trimmers, as defined in Schedule F, any hand hair or fetlock clippers, as defined in Schedule G, any industrial cutlery, as defined in Schedule H, and any hunting or fixed blade sheath knife, any carving sets, any poultry shears, any implement designed or intended for manicuring, for pedicuring or for extracting blackheads, including but not limited to nail files, nail nippers, nail clippers, pushers, picks, cuticle scissors, cuticle pushers, cuticle clippers and cuticle nippers, and any other hand operated, fixed or folding, cutting blade or fork with a handle or handles of any material attached so as to become an inte-

gral part of the implement. "Cutlery" shall not include any article of flatware, as defined in Order L-140-b, when issued, or any of the articles subject to Order L-30-d, as amended from time to time, or surgical instruments.

(2) "Manufacturer" means any person engaged in the business of fabricating or assembling any new cutlery from any raw material, purchased parts or previously used or fabricated material, or who performs any hand or mechanical fabricating or assembling operation on

an article of cutlery.

(3) "Process" means the first change by a manufacturer in the form of material (whether raw material, semi or fully fabricated material or finished parts) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form by him. Any manufacturer who did not maintain records during the base period as to his processing of metals in terms of weight, but who maintained records in terms of units of cutlery only, may apply all percentages contained in this order and schedules in terms of units rather than in terms of

(4) "Base period" means the period beginning July 1, 1940 and ending June

30, 1941, inclusive.

(5) Gauges when referred to in this order, are subject to commercial tolerances.

(b) Restrictions on kinds of cutlery which may be manufactured. No man-ufacturer shall process any metal for new cutlery which is not of a type defined in a schedule in this order.

(c) Restrictions on quantity of cutlery produced. No manufacturer shall process more metal in the production of any new cutlery than the amount specified for that class of cutlery in the appropriate schedule attached to this order.

(d) Exceptions for military orders. In addition to the production permitted by paragraph (c) above a manufacturer may process sufficient additional amounts of metal to fill purchase orders or contracts for cutlery to be delivered by him to or for the account of

(1) The War Shipping Administra-

(2) The United States Maritime Commission.

(3) The United States Navy (excluding purchase orders placed by or for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specifically authorize on Form WPB-1319, pursuant to an application filed on said Form, the filling of purchase orders for cutlery for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale within but for use outside the 48 United States and the District of Columbia. Form WPB-1319 is to be filed and executed only by the Bureau of Naval Personnel, Navy Department, Washington, D. C., and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified

(4) The United States Army (excluding purchase orders placed by or for delivery to United States Army post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specially authorize on Form WPB-1319, pursuant to an application filed on said form, the filling of purchase orders for cutlery for delivery to and use by post exchanges located in areas designated by "staging the United States Army as areas." Form WPB-1319 is to be filed and executed only by the Army Exchange Service of New York, and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified.

(e) Specifications. No manufacturer shall process any metal for the production of any new cutlery which does not conform to the specifications contained in the applicable schedules in this order.

(f) Metal restrictions. No manufacturer shall process any metals other than iron, carbon steel, alloy steel (if not containing nickel), aluminum, magnesium, gold and silver in the production of cutlery, except

(1) Lead for bolsters or rivets;

(2) Chromium for plating;

(3. Zinc as provided in Schedule G and H of this order subject to the restrictions contained in the M-11 series, as amended from time to time.

(4) Copper and copper base alloy not containing nickel, except in impurities, as provided in Schedule E of this order for linings and rivets of pocket knives.

(g) Hardness of knife blades and sharpening steels. No manufacturer shall process any steel for the production of

(1) Knife blades for cutlery which when finished tests less than 45, Rockwell C Scale;

(2) Sharpening steel which when finished tests less than 62, or more than 68. Rockwell C Scale.

(h) Special provision affecting distribution of overruns, rejects and cancellations. When material for the production of cutlery is obtained with priorities assistance and, because of cancellations of orders or other reasons, can no longer be used for the purpose for which the assistance was given, such material may only be used as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1. Similarly, when such material has been manufactured into cutlery to fill a specific contract and that cutlery, because of overruns, rejects, cancellations or other reasons, cannot be used for that purpose, it may be used or disposed of only as allowed in that section. One of the ways in which these materials or products may be used or disposed of is cutlined in subparagraph (5) of that paragraph, which permits use and disposal in any manner specifically authorized in writing by the War Production Board. Applications for such authorization may be made on Form WPB-1319.

(i) [Deleted Aug. 31, 1944]

(j) [Deleted Aug. 31, 1944]

(k) Reports. (1) Before making any cutlery every manufacturer of cutlery shall execute and file in duplicate with the War Production Board, Washington 25. D. C., Ref: L-140-a, a report as to the aggregate amount of all metals processed by that manufacturer during the base period and grouped in accordance with the classes as specified in the definitions contained in the individual schedules attached to this order. Manufacturers who compute their processing of metals in units in accordance with paragraph (a) (3) of this order may file such report in units. This report-ing requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington 25, D. C., Ref.: L-140-a, on or before the 10th day of July, 1943, and on or before the 10th day of each calendar month thereafter, Form WPB-1600 (formerly

PD-655)

(1) Applicability of other orders and regulations. This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of cutlery to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) Exceptions and appeals-(1) Production under Priorities Regulation 25. Any person who wants to process more metal in the production of any cutlery than the quota fixed in paragraph (c) and the appropriate schedules of this order (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. Also any person who wishes to make any implement (other than nail scissors) designed for manicuring or any implement designed for pedicuring or extracting black heads may apply for permission as explained in Priorities Regulation 25. A person making any item listed on any schedule of this order pursuant to authorization under Priorities Regulation 25 must comply with all provisions of the applicable schedule except the metal quotas.

(2) Appeals. Any appeal from the provisions of this order, other than the quota restrictions of paragraph (c) and the appropriate Schedule of this order should

be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (c).

(o) Communications. All reports to be filed hereunder or communications concerning this order should be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-140-a.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE A-PROFESSIONAL FOOD PROCESSING
CUTLERY

Definitions. "Professional food processing cutiery" means any hand operated knives, cleavers, splitters, sharpening steels, beef tiers, ham stringers, coring hooks, canning or pitting spoons, and other hand cutlery designed for, but not limited to, use in packing houses, quick-freezing plants, canneries and dehydrating plants for slaughtering, cleaning, dressing, boning and otherwise processing meats, poultry, fish, vegetables, fruits, and other food stuffs; and also hand cutlery designed for, but not limited to, use in butcher shops and provision markets for the further processing of meats and other foods.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon, and does not apply to the grind or finish of the blade or bowl, or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional food processing cutlery except that which conforms to the following specifications.

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Mini- mum length in inches
Butcher knife. Not lighter than .083" in thickness. Steak knife (Scimitar shape). Trimming or heading knife. Ribbing knife. Bibbing knife (Straight blade). Boning knife (Curved blade). Boning knife (Curved blade). Sticking knife (Curved blade). Sticking knife (chicken). Sticking knife (chicken). Sticking knife (chicken). Sticking knife (pinfeather). Sharpening steels. Fish slitting knife. Fish slitting or gutting knife. Fish slitting or gutting knife. Fish filet knife. Clam knife. Oyster knife. Seallop knife. Seallop knife. Seallop knife. Ham stringer. Beet tier. Fruit canning knife (California type). Tomato knife. Beet topping knife. Beet topping knife. Beet topping knife. Pitting spoon. Coring hook. Cleavers. Splitters.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	121111111111111111111111111111111111111	6 10

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutiery specified in this schedule which differs in pattern or length from such cutiery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional food processing cutlery more iron and steel in the aggregate than 225% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional food processing cutlery.

SCHEDULE B-PROFESSIONAL KITCHEN CUTLERY

Definitions. "Professional kitchen cutlery" means any hand operated knives, forks, scrapers, turners and spatulas used in the preparation of food, designed for, but not limited to, use in the bakery trade and in kitchens of hotels, restaurants, cafeterias, hospitals, institutions and other public eating places.

ing places.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finsh or color of the handle.

of material, finsh or color of the handle.

"Length," unless otherwise specified, means the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional kitchen cutlery except that which conforms to the following specifications:

[Note: "Butcher knife * * *" amended Aug. 31, 1944.]

			unidential ex
Description of items	mum	Maximum number of lengths per pattern	Length in inches
Butcher knife (not heavier than .072" in thickness, nor lighter than .065" in thickness).	1	2	8" Maximum.
Cook's knife (Saba- tier shape, no heel, no bolster)	1	2	8" Minimum.
Meat slicer Utility slicer	2 2	1 1	10" Minimum. 8" Maximum. 5" Minimum.
Paring knife Cook's fork (forged blade).	2	1 1	336" Maximum 14" including handle.
Cook's fork (blanked blade, hardened and tempered).	1	1	
Spatula. Baker's scraper (1 weight of blade only).	1	3 1	8" Minimum.
Cake turner (spatula	1	1	
Hamburg turner (spatula type).	1	1	
	2	Page 1010 ()	The state of the s

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by

him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional kitchen cutlery more from and steel in the aggregate than 75% of the average quarterly amount of fron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional kitchen cutlery.

SCHEDULE C-HOUSEHOLD KITCHEN CUTLERY

Definitions. "Household kitchen cutlery" means hand operated knives and forks used in the preparation and serving of food, and designed for use in home kitchens.

"Pattern" means the outline shape of the blade of a knife or fork. It does not apply to the grind or finish of the blade or to the type of material, finish or color of the handle.

type of material, finish or color of the handle. "Length" means, unless otherwise specified, the dimension of the blade measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

the handle, plus or minus one-quarter inch. Permissible types. No manufacturer shall process metal in the production of any household kitchen cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of pat- terns	Maximum No. of lengths per pat- tern	Length in inches
Slicer	2 1	1 1	9" maximum 1034" maximum (including handle).

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household kitchen cutlery more iron and steel in the aggregate than 35% of the average quarterly amount of Iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household kitchen cutlery.

SCHEDULE D-HOUSEHOLD TABLE CUTLERY

Definitions. "Household table cutlery" means any knife, fork, spoon or any other cutlery of plated or unplated metal, with handles made of other material than metal, designed for the actual serving and eating of food in the home, other than all metal flatware.

"Pattern" means the outline shape of the blade of a knife or fork or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of materiol finish or color of the bendle

terial, finish or color of the handle,
"Length" means, unless otherwise specified,
the dimension of the blade or bowl measured
from its tip to the place at which it enters
the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household table cutlery except that which conforms to the following specifications:

Description of item	Maximum No. of patterns	Maximum No. of lengths per pattern
Table knife	1 1 1 1 1 1 1 1	1 1 1 1

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household table cutlery more from and steel in the aggregate than 50% of the average quarterly amount of from, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household table cutlery.

SCHEDULE E-POCKET CUTLERY

Definitions. "Pocket cutlery" means any folding blade knife.

"Pattern" means the outline shape of the skeleton or frame. It does not apply to the shape of, number of or finishes of blades, or to the type of material, finish or color of the handle.

"Length", unless otherwise specified, means the outside measurement of the skeleton or frame of the knife, subject to a tolerance (plus or minus) of \(\frac{1}{10} \text{th} \) inch.

"Number of blades per knife" refers only to the number of blades which may be fastened directly or indirectly to each skeleton or frame and does not refer to the shape or finish of the blades. Different styles of blades may be mounted on the same pattern of skeleton or frame. For instance, the specifications state that not more than one blade may be fastened to each skeleton or frame of a pruning, maize or navy knife. The manufacturer may produce as many styles of blades for such pruning, maize or navy knives as he wishes, so long as each completed knife contains only a single blade, irrespective of its style.

Permissible types. No manufacturer shall process metal in the production of pocket cutlery except that which conforms to the following specifications:

Description of items	Maxi- mum No. of pat- terns	Maximum No. of lengths per - pattern	No. of blades per knile
General utility knife Premium stock knife or	1 3	1 1	Maximum 4. Maximum 3.
cattle knife. No. of	1	3	2 only.
weights, 2. Pruning, maize or navy knife.	1	1	1 only.
Budding or grafting knife.	1	1	1 only.
Electrician's knife Scout knife Self opening knife	1 1	1 1 2	2 only. 4 only. 1 only.

No item in this List E may be made with a handle less than 3% inches in length nor less than 3% of an inch in thickness at

the narrowest point.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943 and during any succeeding period of three calendar months, no manufacturer shall process in the production of pocket cutlery more iron and steel in the aggregate than 60% of the average quarterly amount of iron, steel and other metals in the aggregate processed by that manufacturer during the base period in his production of pocket cutlery. Copper and copper base alloy not containing nickel, except in impurities, may be used for linings and rivets.

SCHEDULE F-SCISSORS; SHEARS AND TRIMMERS

Definitions. "Scissors" means any two bladed, hand operated cutting implement having two rings, each of a size sufficient to accommodate not more than one finger or thumb in each ring, designed for use in industrial plants, schools, dressmakers' establishments, department stores, homes, etc., for cutting cloth, paper and miscellaneous materials; including nail scissors, but excluding surgical scissors and barber shears and scissors.

"Shears and trimmers" means any two bladed, hand operated cutting implement having one ring of a size sufficient to accommodate two or more fingers and a second ring which is smaller and barber shears or scissors possessing a protruding finger rest, but not including animal and agricultural shears and trimmers or metal cutting shears or

snips.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of scissors more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of scissors.

During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of shears and trimmers more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of shears and trimmers.

SCHEDULE G-HAND HAIR CLIPPERS

Definitions. "Hand hair clippers" means clippers operated by hand, designed for but not limited to use in barber shops, beauty parlors, hospitals or homes for cutting human hair, and including fetlock clippers. "Length" means the over-all measurement

"Length" means the over-all measurement of the article from the tip of the stationary handle to the tip of the cap or head.

handle to the tip of the cap or head.

"Pattern" means the outline shape of the head, cap and handles, including horns and finger rests of the completed article, without the plates. It does not refer to the finish, color or weight of the article.

Permissible types. No manufacturer shall process metal in the production of any hand hair clippers except those which conform to the following specifications:

General description	Maximum No. of patterns	Maximum No. of lengths
Large heavy duty clippers Light weight clippers Fetlock clippers	1 1 1	1 1

Permissible amount of metal. During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new hand hair clippers and fetlock clippers more iron, steel and zinc in the aggregate than 65% of the amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of new hand hair clippers, and fetlock clippers.

SCHEDULE H-INDUSTRIAL CUTLERY

"Industrial cutlery means hand operated knives or similar articles designed for use primarily in, but not limited to, shoe, rubber, linoleum, electrical and other manufacturing plants; and in the shipbuilding, storage battery, automotive, tire repair, painting, furniture, office supply and other trades; including but not limited to putty knives, scrapers, wallpaper trimmers, paper hangers' knives, casing knives, corner knives, linoleum knives, roofing knives, manual training knives, wood carving knives, pattern makers' knives, stencil knives, rubber knives, shoe knives, cotton sampling knives, broom corn knives, and similar industrial knives; and also adjustable knife blades with detachable handles designed for essential cutting operations.

Permissible amounts of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of industrial cutlery more fron, steel, and zinc in the aggregate than 200% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his

production of industrial cutlery.

[F. R. Doc. 44-13259; Filed, August 31, 1944; 10:33 a. m.]

PART 3291—CONSUMERS DURABLE GOODS [Limitation Order L-329, Revocation]

STAPLES AND STAPLERS

Section 3291.306 Limitation Order L-329 is hereby revoked. This revocation does not affect any liabilities accrued under the order. The use of certain materials in the manufacture of staples and staplers remains subject to the applicable regulations and orders of the War Production Board.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13262; Filed, August 31, 1944; 10:32 a. m.]

PART 3292 -AUTOMOTIVE VEHICLES PARTS AND EQUIPMENT

[Limitation Order L-80 as Amended Aug. 31, 1944]

OUTBOARD MOTORS AND PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.121 Limitation Order L-80—
(a) Definitions. For the purpose of this order:

(1) "Outboard motor" means any detachable motor (electric or internal combustion motor) for the propulsion of rowboats, canoes, dinghies, or any other type of boat.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(3) "Producer" means any person fabricating, processing, manufacturing or assembling any outboard motor or

component part thereof.

(4) "Horse power rating" means the rating applied to outboard motors by the National Outboard Motor Association (Pittsburgh Testing Laboratories) or by the Society of Automotive Engineers.

(5) "Preferred order" means any order or contract for outboard motors or parts to be delivered to or for the account of the Army or Navy of the United States, U. S. Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, and the Office of Scientific Research and Development.

(b) General restrictions. (1) Except as provided in paragraph (b) (2), no producer shall process, fabricate, work on or assemble any materials for use in the production of outboard motors or parts, nor shall any producer manufacture or assemble any outboard motors or parts except to the extent required to fill preferred orders.

(2) During the month of April 1942, and during each month thereafter, until otherwise ordered, no producer shall manufacture more repair and replacement parts than 75% of his average monthly production of such repair and replacement parts for outboard motors during the calendar year 1941.

(3) No producer shall sell, lease, trade, lend, deliver, ship or transfer any outboard motors of 6 horsepower rating or more to any person whatsoever, except to fill preferred orders, or pursuant to specific authorization of the War Production Board.

¹ Formerly Part 1155, § 1155.1.

- (c) [Deleted Aug. 31, 1944]
- (d) [Deleted Aug. 31, 1944]
- (e) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(f) [Deleted Aug. 31, 1944.]

(g) Exceptions—Production under Priorities Regulation 25. Any person who wants to process, fabricate, work on or assemble materials in the production of outboard motors or parts which he is not permitted to make under paragraphs (b) (1) or (b) (2), or who wants to make more parts than he is permitted to make under paragraph (b) (2), (including a person who is not permitted to make any parts under this order), may apply for permission to do so as explained in Priorities Regulation 25. No appeal should be filed from the restrictions of this order.

(h) Communications to War Production Board. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: L-80.

(i) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

Issued this 31st day of August 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 44-13252; Filed, August 31, 1944; 10:31 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-180 as Amended Aug, 31, 1944]

MATERIALS ENTERING INTO THE PRODUCTION
OF REPLACEMENT STORAGE BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway

motor vehicles, for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.51 Limitation Order L-180—(a) [Deleted Jan. 22, 1944]

(b) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board, as amended from time to time, except where otherwise stated.

(c) Definitions. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means an electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck-tractor, truck-trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

battery.

(11) "Ampere hour capacity" means
the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge
when tested at the 20-hour rate at 80

degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV. V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage bat-

teries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment or held for the account of the owner thereof in any other name, man-

ner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other

purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood sep-

arators only.

(d) Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks. (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20-hour rate 80° F.
Group	Group	80
I	IM	90 100 90
IS(E-116) (IIE-125)	2L 2ME	100 110 100
(H-115)	(2M-105) (2H-116) 3L	110 110
IIISpecial	3M (3H-133) (12 Volt)	120 45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles. (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks. truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

U BURGOS	Amper	e hour	Men	Container sizes						
	Ampere hour capacity 20-hour rate 80° F.	capacity 20-hour rate 80° F.		Volts	Lo	ng	Wi	de	Hig	h
	Mini- mum	Maxi- mum	70113	Mini- mum	Maxi- mum	Mini- mum	Maxi- mum	Mini- mum	Maxi- mum	
					For bat	teries with	double ins	ulation		
Size A	155 195 235 385 95 95 115 135 155	165 220 245 395 105 105 125 145 165	0 6 6 6 12 12 12 12 12	16 1984 223-5 213-5 173-5 193-4 203-4 203-4	1634 2012 2312 22 22 18 2114 2114 2114 2114	71/4 71/4 71/4 101/4 71/9 71/4 83/2 9 101/4	784 784 784 1094 8 784 9 10	914 914 914 12 914 914 914 914 914	11 11 1234 11 11 11 11 11	
THE REAL PROPERTY.	70				For bat	tteries with	single ins	ulation		
Size J Size K Size L Size M	195 335 140 150 180	205 345 155 170 205	6 6 12 12 12	16 25 2014 2014 2014	1684 2512 2112 2132 2132 2112	634 714 812 9 1034	73/4 73/4 9 10 113/4	9 914 914 914 914	1084 1114 11 11 11	

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand on August 29, 1942. Provided:

(i) No additional material is required; (ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-

paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods speci-

fied in paragraph (f) below.

(f) Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles. (1) No producer shall, during any calendar quarter of 1944, manufacture automotive replacement storage batteries in excess of the number (hereinafter referred to as "quota") obtained by multiplying the percentage shown below for that calendar quarter of 1944 by

the total number of such batteries sold by him during the calendar year 1941:

	Percen	tage
Calendar Quarter of 1944:	of 1941	sales
January 1 to March 31		221/2
April 1 to June 30		221/2
July 1 to September 30		30
October 1 to December 31		25

(2) Notwithstanding subparagraph (1) of this paragraph (f), a producer may, in addition to the quotas permitted thereby,

(i) Manufacture during the second, third and fourth calendar quarters of 1944 that number of replacement batteries by which he failed to reach his full quota during the next preceding calendar quarter, *Provided*, That this additional production does not exceed 5% of the number of replacement batteries sold by him during the calendar year 1941; and, in addition.

(ii) Manufacture during the first, second and third calendar quarters of 1944 not in excess of 5% of the number of such batteries sold by him during the calendar year 1941, provided he deducts such number from his quota for the next

succeeding calendar quarter of 1944; And provided further, That in no event shall any producer manufacture during the calendar year 1944 a number of such replacement batteries in excess of 100% of the number of such batteries which he sold during the calendar year 1941.

(3) Additional 10% production authorized in 1944. In addition to the production authorized by subparagraphs (1), (2) (i) and (ii) of this paragraph (f), producers may manufacture replacement batteries during the period January 1, 1944 to December 31, 1944 in an amount equal to 10% of the total number of such batteries sold by the producer during the calendar year 1941 or the calendar year 1943, whichever is higher, except as provided in supparagraph (5) below. In no event, however, shall the production of any producer for the year 1944 exceed 110% of the number of replacement batteries sold by him during the calendar year 1941 or the calendar year 1943, whichever is higher.

(4) Foregoing not applicable to producers of less than 25,000 units. The restrictions on production of replacement batteries contained in this paragraph (f) (1) and (2) (i) (ii) and (3) shall not apply to a producer who during the year 1941 sold less than 25,000 replacement batteries; Provided, however, That during the year 1944 his total production shall not exceed 25,000 units.

(5) Plants in Group I Labor Market Areas not authorized to increase production. On and after January 1, 1944, no producer whose plant is located in a Group I Labor Market Area as classified by the War Manpower Commission as of January 1, 1944, shall produce replacement batteries in any such plant in excess of 100% of his sales of batteries produced in that plant in the calendar year 1941 or the calendar year 1943,

whichever is higher.

(6) Production in excess of 110% limitation may be authorized. Any producer having a plant which is not located in a Group I or Group II Labor Market Area who believes that such plant has capacity available to produce replacement batteries in excess of 110% of the sales of batteries produced at such plant in the calendar year 1941 or in the calendar year 1943, whichever is higher, may file an application in writing at the Field Office of the War Production Board nearest to such plant, for leave to increase production at such plant. Such application shall contain a full statement of the plant's capacity, the labor presently employed and the additional production which can be secured, by quarters. Thereupon the War Production Board may authorize an increase in the production of replacement batteries at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published Directions supplemental to this order.

(g) Restrictions on inventories of producers of automotive replacement bat-

teries. (1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

(h) General restrictions—(1) Return of used batteries. On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (1) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(2) Consumer's certificate. Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will, within thirty days after receiving the replacement battery here ordered, dispose of through scrap channels a used automotive battery (excepting in the event of the loss or theft of such battery) of similar size for each replacement battery delivered to me.

(Signed) _______Vehicle Owner or Operator

Address

A copy of each such certificate must be retained by the producer or distributor

as part of his records. (3) Electric fence user's certificate. Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell or deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that the consumer purchases the battery for use in connection with an electric fence or other piece of farm machinery which had formerly heen operated in whole or in part by dry cell batteries, and provided further that the producer or distributor secures from the consumer, for each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) the consumer's signature to a certificate, to be supplied by the producer or distributor, in the following form:

Electric Fence or Farm Equipment User's Certificate

I hereby certify that the battery purchased by me under this date is for use in connection with an electric fence or other farm equipment; that I have previously not used a storage battery for this purpose and, therefore, have no used battery to turn in.

(Signed) _____Purchaser

Address

Date____

(i) Metal-containing parts of used, traded-in, imperfect or condemned batteries to be disposed of as scrap in 30 days. No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels. The provisions of this paragraph shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Porto Rico or the Virgin Islands.

(j) Exceptions to applicability of this order. The limitations and prohibitions contained in this order shall not be

applicable to:

(1) Any contract or purchase order for material to be delivered to, or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-

Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

- (k) [Deleted Aug. 31, 1944.]
- (1) [Deleted Aug. 31, 1944.]

(m) Reports. On or before the 25th day of January, the 15th day of April, July and October 1944 and the 15th day of January 1945, each producer shall execute and file with the War Production Board Form WPB 2163 (PD 765) reporting for each of his plants, with the address of each, the shipments of automo-

tive replacement storage batteries made during the preceding calendar quarter from each plant. These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(o) Exceptions and appeals-(1) Production under Priorities Regulation 25. Any person who wants to produce more automotive replacement storage batteries than the amounts permitted under paragraph (f) (including a person who is not permitted to make any under this order) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for special authorization as explained in paragraph (f) (6). The restrictions of paragraph (g) relating to inventories do not apply to automotive replacement storage batteries authorized under Priorities Regulation 25.

(2) Appeals. An appeal from the provisions of this order other than the restrictions of paragraph (f) may be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provisions appealed from and stating fully the grounds for appeal. No appeal should be filed from the restrictions of paragraph (f).

(p) Communications to the War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: L-180.

(q) [Revoked January 5, 1943.]

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13260; Filed, August 31, 1944; 10:33 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, as Amended Aug. 31, 1944]

AUTOMOTIVE MAINTENANCE EQUIPMENT

§ 3292.56 Limitation Order L-270— (a) What the order does. This order explains what is meant by "Automotive Maintenance Equipment", how much and what kinds of such equipment may be made, and how it may be sold.

(b) Definitions. For the purposes of

this order:

(1) "Producer" means any person who manufactures any automotive maintenance equipment, whether for his own account or for the account of others.

(2) "Manufacture" means to fabricate or assemble any item of automotive

maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed in Schedules A, B, C or D to this order.

(4) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.

(5) "Item" means any product listed in Schedules A, B, C or D to this order and includes all sizes and types in such

listing.

(6) "Repair part" means any part or component of any item of automotive maintenance equipment not consumed or used up in ordinary operation of the automotive maintenance equipment.

(7) "Military order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, United States Maritime Commission or the War Shipping Administration.

Provision: Relating to Production

(c) General policy. In processing applications for priorities assistance on Form CMP-4B, the War Production Board will be guided by the policy that the total production will not exceed the approved WPB program for the products to which this order applies and that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(d) Restrictions on production of individual items—(1) No production of Schedule A items. Except to fill military orders, no producer shall manufacture

any item listed in Schedule A.

(2) Limitation on production of Schedule B items. Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule B in excess of fifty (50) percent of the number of the like item manufactured by him in the corresponding calendar quarter in 1941.

(i) Provision for minimum factory runs. In the event that the limitation imposed by this paragraph (d) (2) should result in restricting production to less than his minimum practical factory run of any item listed in Schedule B, a producer may, notwithstanding the provisions of paragraph (d) (2), manufacture a minimum practical factory run: Provided, That the total number of any such item manufactured by him in any two consecutive calendar quarters shall not exceed fifty (50) percent of the total number of the like item manufactured by him in the two corresponding calendar quarters of 1941.

(3) Limitation on production of Schedule C items. Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule C in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941.

(4) Limitation on production of Schedule Ditems. Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule D in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941, unless a quarterly quota in excess of one hundred (100) percent of the corresponding quarter of 1941 production has been assigned to the producer under the following procedure:

ing procedure:
(i) Special quotas on Schedule D items. A request for assignment of a special quota for production of any item listed in Schedule D, in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding quarter of 1941, may be made by a producer who can increase production within the limitations of

paragraph (c).

Such a producer may file an application in writing with the Automotive Division of the War Production Board, Washington 25, D. C., Ref: L-270, for permission to increase production at such plant by giving complete explanation of the circumstances justifying such increase. Thereupon the War Production Board may authorize an increase in the production of the item at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published directions supplemental to this order.

The War Production Board may likewise direct an increase in the production of items on Schedule D in conformity with paragraph (c), in such quantities and upon such conditions as it shall find requisite in the public interest.

(e) Limitation on production of repair parts. Except to fill military orders, no producers shall manufacture in any calendar quarter a dollar volume of repair parts for automotive maintenance equipment in excess of ten (10) percent of the total dollar volume of automotive maintenance equipment manufactured by him in the corresponding calendar quarter of 1941.

Provisions Relating to Critical Materials

(f) Use of steel.¹ No producer shall use any steel or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical materials is practicable, and when so used such steel or other criti-

cal materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(g) Use of copper. No producer shall use any copper products or copper base alloy products in the manufacture of automotive maintenance equipment other than in the following: (i) conductors of electrical current, (ii) bearings, bushings, thrust washers and similar parts which require oil, grease or water lubrication, (iii) valve seats, tubes, and similar parts where condensation or corrosion make substitutions of less critical materials impracticable: Provided. That any copper products or copper base alloy products so used shall be reduced to the minimum practical gauge, size and grade necessary for the proper operation of the automotive maintenance equipment.

Provisions Relating to Distribution

(h) Sales by producers only on rated orders. No producer shall sell, transfer or deliver, on consignment or otherwise, any item on Schedules A, B, C or D, except pursuant to orders bearing preference ratings of AA-5 or higher;

(1) Assigned on Forms WPB-541 (PD-1A), on Form WPB-542 (PD-3A), on Form WPB-547 (PD-1X), or on

Canadian Form PB-1010.

(2) Assigned on export licenses or requisitions approved by Foreign Economic Administration.

- (3) Assigned pursuant to application on Form CMP-4B, on CMP-4A, on Canadian Forms PB-1005, on PB-1006, or on PB-1007 and used only for the procurement of items on Schedules A, B, C or D to be physically incorporated in other end-products. The use of preference ratings assigned on these forms is prohibited for the procurement of any items on Schedules A, B, C or D for resale as such.
- (i) Sales of stationary crankshaft regrinders only on WPB-1319 ratings. On and after June 1, 1944, notwithstanding the provisions of paragraph (h), no producer shall sell, transfer or deliver, on consignment or otherwise, any stationary crankshaft regrinders, except to fill military orders or pursuant to ratings assigned on Form WPB-1319.
- (1) Application should be made by the user on Form WPB-1319, in accordance with the instructions for its use, which is obtainable at all field offices of the War Production Board.
- (j) No ratings required for repair parts. No preference ratings are required for the purchase of repair parts for automotive maintenance equipment.

Miscellaneous Provisions

(k) Quarterly reports by producers on Form WPB-3614. Each producer of automotive maintenance equipment shall execute and file with the Automotive Division of the War Production Board within fifteen days after the close of each calendar quarter a report, (on Form WPB-3614), of the number of units of

¹ See latest quarterly copy of publication entitled, *Material Substitution and Supply* List. Conservation Division, War Production Board.

each item listed in Schedules A, B, C or D produced by him in such calendar quarter. The reporting provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(1) Exceptions and appeals—(1) Production under Priorities Regulation 25. Any person who wants to manufacture any automotive maintenance equipment or repair parts which he is not permitted to make under paragraphs (d) or (e), or who wants to make more automotive maintenance equipment or repair parts than permitted under those paragraphs, may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for a special quota on Schedule D items as explained in paragraph (d) (4) (i). All provisions of this order except paragraphs (d) and (e) apply to production authorized under Priorities Regula-

(2) Appeals. Any appeal from the provisions of this order other than the restrictions of paragraphs (d) and (e) may be made by filing Form WPB-1477 in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates. No appeal should be filed from the restrictions of

paragraphs (d) or (e).

(m) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from

time to time.

(o) Communications. All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Reference: L-270

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE A

See paragraph (d) (1) of this order.

Alignment gauges (except as listed in Sched-

Battery chargers; floor, stand and wall type (except as listed in Schedule C) Battery chargers: trickle type (except in-

dustrial installation)

Battery testers (except as listed in Schedule C)

Body and fender tools; hand, pneumatic, hydraulic or electric operated

Brake testing machines: automotive vehicle

Car washers: pressure or nozzle type Car washing machinery

Chassis dynamometers

Chuck gauges: any type of air pressure measuring gauge which is attached in any manner to a flexible air line to be used for inflating tires

Combustion analyzers: automotive vehicle type

Distributor setting machines (except as listed in Schedule B)

Electrical testing equipment: automotive vehicle type (except as listed in Schedules B

Engine flushing machines: internal

Engine reconditioning equipment (except as listed in Schedules B, C, or D)

Engine repair stands (except as listed in Schedule C)

Frame straightening equipment (e heavy duty—as listed in Schedule C) Frame straightening racks

Front end equipment (except as listed in Schedules B or C)

Gasoline mileage testers

Headlight testers: automotive vehicle type Jacks: bumper or wheel rim

Jacks: pit, lift or vibrating; mechanical or hydraulic (except as listed in Schedule C) Jacks. portable or tool box type (less than 3-tons lifting capacity, measured by load raising ability through the entire jacking range from minimum to maximum height)

Jacks: shop, wheel type; mechanical or hy-draulic (except as listed in Schedule D) Lifts: automotive vehicle type (except heavy duty as listed in Schedule C)

Motor analyzing equipment (except as listed in Schedules B or C)

Spark plug cleaners: pedestal or stand type

Spark plug testers

Tire air hose reels Tire air pressure gauges (except as listed in

Schedules B or C) Tire air service equipment: tower, pedestal or wall type (except as listed in Schedules B, C or D)

Tire pumps (except as listed in Schedules C or D)

Tire scuff checking devices (except as listed in Schedule B)

Tow bars

Wheel balancers: automotive vehicle type Wheel spinners

SCHEDULE B

See paragraph (d) (2) of this order.

Alignment gauges: portable (including only caster, camber, king-pin, toe-in, tracking, turning radius, or combinations thereof) Alignment gauges: stationary, drive-over

Battery jumpers Bearing oil leak detectors Brake bleeders

Brake fillers

Brake lining appliers: hand type

Brake shoe gauges

Cylinder leakage testers; automotive vehicle testing type

Degreasing flushers: transmission or differential

Distributor setting machines: bench model Front end machines: light duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all automotive vehicles of 1½ tons and less capacity.

Fuel pump testers: automotive vehicle testing type

Master air gauges: tire air gauge testers

Piston expanding machines Speedometer testing machines Transmission facks Wheel straightening equipment Wrecking cranes: truck mounted type

See paragraph (d) (3) of this order.

Air chucks

Air pressure gauges: pencil type or truck service type

Armature growlers: automotive vehicle testing type

Battery chargers: fast type (battery leads not to exceed 7 feet each; AC lead not to extend beyond charger case)

Battery chargers: wall type (six or more battery capacity)

Battery testers (prong type)

Brake drum gauges

Brake drum grinding attachments

Brake drum lathes

Brake lining grinders: portable or spindle mounted

Brake relining machines

Cam angle meters

Circuit testers: automotive vehicle testing type

Cleaners: steam vapor (self-firing or generating)

Clutch pressure plate grinders Clutch rebuilding equipment

Coil testers: automotive vehicle testing type Compression gauges: automotive vehicle testing type

Condenser testers: automotive vehicle testing type

Connecting rod aligners Crankshaft regrinders: portable Cylinder head resurfacers

Cylinder hones Cylinder reboring bars

Engine repair stands: engine revolving type Frame straightening machines: heavy duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for removing all lateral and vertical bends from the frames of all automotive vehicles.

Front end machines: heavy duty; to include all gauges, tools and parts accessory and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all conventional axle automotive vehicles.

Generator test benches: automotive vehicle

testing type Jacks: pit or lift (not less than 5-tons lifting capacity)
Horses or trestles: automotive shop type

Lifts: automotive vehicle twin post type (capacity not less than 10-tons)

Magneto rechargers Magneto testers

Main bearing boring machines

Motor block test heads: automotive vehicle testing type

Piston pin bushing hones: portable Piston regrinders

Spark plug cleaners: bench type

Timing lights; automotive vehicle testing type

Tire pumps: hand or foot operated Tire valve service tools

Vacuum gauges: automotive vehicle testing type Valve refacers

Valve seat grinders Valve seat insert tools

Wheel removing dollies; automotive vehicle

SCHEDULE D

See paragraph (d) (4) of this order.

Bushing grinders Connecting rod boring attachments Connecting rod boring machines Connecting rod rebabbitting jigs Crankshaft regrinders: stationary Cylinder sleeve pullers

Jacks: curb wheel type (less than two tons capacity)

Jacks: shop wheel type (four and ten tons capacity)

Shell bearing boring machines Spark plug pumps

INTERPRETATION 1, 2, AND 3: Obsolete.

[F. R. Doc. 44-13257; Filed, August 31, 1944; 10:32 a. m.

PART 3296-SAFETY AND TECHNICAL EQUIPMENT

General Limitation Order L-238, as Amended Aug. 31, 1944)

SUN GLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of sun glasses and sun glasses cases; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.76 General Limitation Order L-238-(a) Definitions. For the purposes of this order:

(1) "Sun glasses" means spectacles or goggles designed primarily to protect the wearer's eyes from sun-glare and other harmful or discomforting rays of the sun.

(2) "Sun glasses case" means a case or container designed for carrying sun glasses when not being worn.

(3) "Aviation sun glasses" means sun glasses designed for use in aircraft by pilots, observers and other aircraft personnel.

(4) [Revoked May 9, 1944]

(b) Restrictions on the use of metals. Except as provided in paragraph (c) of this order, no person shall incorporate any metal in the manufacture of sun glasses or any part thereof or sun glass cases or any part thereof.

(c) Exceptions to paragraph (b). The provisions of paragraph (b) of this order shall not apply to the manufacture of sun glasses or sun glasses cases which

are manufactured:

(i) [Revoked May 9, 1944]

(ii) From metal to the extent permitted by Appendix A, attached to this

(iii) From copper base alloys obtained from idle or excess inventories pursuant to Priorities Regulation 13. (Any person who purchases component parts containing copper base alloy may use those parts in the manufacture of sun glasses or sun glasses cases, unless he knows or has reason to believe that the parts were not made from copper base alloy obtained from idle or excess inventories pursuant to Priorities Regulation 13.)

(2) The provisions of paragraph (b) of this order shall not apply to the manufacture of aviation sun glasses which are manufactured pursuant to a contract or purchase order for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any

agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act), Provided, That the specifications of such contract or purchase order specify aviation sun glasses which cannot be manufactured within the limitations of paragraph (b) and (c) (1) of this order. Notwithstanding the provisions of Priorities Regelation 17, the foregoing provisions of this paragraph (c) (2) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department. Aviation sun glasses which are manufactured in accordance with the foregoing provisions of this paragraph (c) (2) shall be sold or delivered only to the Army or Navy of the United States (not including United States Army or Marine Corps Post Exchanges or United States Navy Ship's Service Departments), or the appropriate agency of the United States Government for Lend-Lease purposes.

(d) Quota restrictions. (1) No person shall manufacture more sun glasses, in any calendar quarter, than ninety per cent of the number of sun glasses that he manufactured during the correspond-

ing calendar quarter of 1942.

(2) Purchase orders or contracts for sun glasses placed by the Army or Navy of the United States, or of any Agency of the United States Government for Lend-Lease purposes, shall not charged against the quota permitted by paragraph (d) (1). Notwithstanding the provisions of Priorities Regulation No. 17, purchase orders or contracts for delivery of sun glasses to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy or Coast Guard Ship's Service Department shall be charged against the quota permitted by paragraph (d) (1), to the extent of seventy-five per cent of the number of sun glasses included in such orders and contracts.

(e) Applicability of regulations. Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as

amended from time to time.

(f) Violations and false statements. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) Exceptions and appeals—(1) Production under Priorities Regulation 25. Any person who wants to manufacture more sun glasses than the quota fixed in paragraph (d) (including a person who has no quota under this Order) may

apply for permission to do so as explained in Priorities Regulation 25. The restrictions of paragraph (b) on the use of metals continue to apply to production which may be authorized under Priorities Regulation 25.

(2) Appeals. Any appeal from the provisions of this Order, other than the restrictions of paragraph (d), shall be made by filing a letter in triplicate to the War Production Board, Washington 25, D. C., Reference L-238, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the restrictions of paragraph (d)."

(h) Communications. All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L-238.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. Joseph Whelan, Recording Secretary.

APPENDIX A

Pursuant to the provisions of paragraph (b) and paragraphs (c) (1) (ii) of this order, a person may incorporate the following materials in the manufacture of sun glasses to the extent indicated:

(1) Steel for:

(i) Core wire in plastic temples.

(ii) Spring clips in slip-over type sun glasses;

(iii) Hinges, hinge pins, and rivets; and

(iv) Snaps for sun glasses cases.(2) Brass for barrel-hinges, hinge pins. rivets, and screws to fill orders bearing pref-

erence ratings of AA-5 or higher.
(3) Copper (strike), zinc, silver, gold and palladium for electroplating.

(4) Aluminum

INTERPRETATION 1

ASSEMBLY OF SUN GLASSES

The use of certain material in the manufacture of sun glasses or parts and the num-ber of sun glasses which may be manufactured are prohibited or restricted by the terms of General Limitation Order L-238, with certain exceptions stated in the order.

Such provisions also apply to the assembly of sun glasses. Thus, any person who as-sembles or combines parts of sun glasses, such as frames and lenses, is manufacturing sun glasses and is governed by the terms of General Limitation Order L-238. [Issued May 11, 1944.]

[F. R. Doc. 44-13255; Filed, August 31, 1944; 10:32 a. m.

PART 1226-GENERAL INDUSTRIAL EQUIP-MENT

[Limitation Order L-123, as Amended Aug. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials (including components) and facilities used in the manufacture of general industrial equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.1 General Limitation Order L-123—(a) Equipment which may not be delivered without an AA-5 or better rating. No person (including a manufacturer, distributor, or dealer) shall accept any order for or deliver, and no person shall accept delivery of, any new item of the following equipment (more fully described in the attached List A) except for an order bearing a preference rating of AA-5 or higher:

1. Air filters.

- Air washers. Arc welding machines. 2
- Baling presses. Compressors.
- Ceramic machinery and equipment.
- Concrete products machinery. Dust collectors, industrial.
- 9. Dynamometers (electric type) rotary converters.
- 10. Electric motors and generators (frac-
- tional horsepower).

 11. Fans, blowers and exhausters.
- 12. Flexible metallic hose, tubing and fit-
 - 13. Heat exchangers.
 - 14. High pressure blowers. .
 - 15. Lifting magnets.
- Oil filtering and re-refining machines.
- 17. Ovens, industrial; drying, curing and finish-baking types.
 - 18. Paper shredders.
- 19. Pressure vessels (including air receivers)
- 20. Pumps.
- 21. Stationary steam engines.
- 22. Wire working machinery. 23 Insulation blowing machines.
- 24. Electroplating and anodizing equip-
- 25. Oxy-acetylene apparatus.

Deliveries within a company. The above restriction applies to deliveries from one department (a branch, division, or section) of a single organiza-tion to another department of the same organization when the item is for incorporation into other machinery produced by that organization, or when it is for installation and operation for the organization's own use.

The restriction does not apply to deliveries from one department to another of the same organization, of items which

it is to resell as such.

(b) Certain transactions for which no rating is required by this order. The above restriction does not apply to the

following transactions:

- (1) Repair parts. Delivery of repair parts for any item (but no complete item may be considered as a repair part and delivered under this exemption, even though it could be used as a component part of another item or of machinery not covered by this order).
- (2) Farm supplies. When items which are farm supplies under Priorities Regulation 19 are delivered to a farmer or dealer upon a certificate in accordance with that regulation.
- (3) Petroleum industry item. When items used in the petroleum industry and covered by Order P-98-c are delivered in accordance with that order.

When (4) Items no longer needed. an item is returned to the person from whom it was obtained, or when it can no longer be used for the purpose for which priorities assistance was given to help obtain it and the holder disposes of it in accordance with applicable provisions of Priorities Regulations 1 or 13.

(5) Items ordered and put in transit before the restriction became applicable. The completion of delivery of items which had been placed in the hands of a common or contract carrier for shipment to the customer prior to the date upon which the restriction in (a) became applicable.

(6) Certain orders rated below AA-5 but unfilled when restriction became applicable. Delivery to fill any rated order which was rated below AA-5 and could have been filled just before the date upon which the restriction in (a) became applicable without violating any

WPB order, rule or regulation.

(7) Deliveries of machinery not covered by this order. The delivery of new machinery, not covered by this order, into which an item has been incorporated as a necessary component part (or which is delivered in unassembled condition with an item which is a necessary component part, for assembly at the

site of installation).
(8) Used items. The delivery of any item which has been sold to a person acquiring it for use, and put into regular

use by him.

(9) Specific authorizations. Deliveries specifically authorized or directed

by the War Production Board.

(10) The replacement of a fractional horsepower electric motor or generator which is traded-in when repair is needed. When a fractional horsepower electric motor or generator is delivered to a householder or other user solely for replacement of a used one which needs repair and the seller, in accordance with his regular business practice, takes the broken down or defective motor or generator in trade and repairs it or delivers it to another person who will repair it (whenever repair is practicable) so that it will be resold under similar conditions (or scraps it promptly when repair is impracticable).

(It must be noted that no repairman or other person may deliver such an item unless he either complies with the foregoing conditions, or receives a AA-5 or higher rating for the delivery from his customer, even though he has obtained the items under a regulation or order which assigns a rating for repair or maintenance purposes, such as the following: CMP Regulations 5, 5A, or 9A; or Orders L-79, P-126, or P-148.)

This exemption permits a dealer not having repair facilities to deliver such a traded-in motor or generator, if it is repairable, to the manufacturer or some other supplier who will repair it or have it repaired within a reasonable time, and get one in exchange without a AA-5 or higher rating. The manufacturer or other supplier who is asked to deliver a new item to a dealer in exchange for a used one is responsible for determining if the traded-in item is repairable.

(11) Portable air compressors owned and used in a rental business. When

portable air compressors owned by a person engaged in the business of renting them, are leased by the owner. This ex-emption does not apply to the sale of a new item by such owner, or to the original purchase of the items by him.

(12) Delivery to a consumer of an item for plumbing or heating repair. When an item is delivered to a consumer for plumbing or heating repair upon a certificate from the latter in accordance

with Order L-79.

(13) Deliveries of replacement parts for motor vehicles. When replacement parts for motor vehicles are delivered to any person in accordance with Order L-158.

- (14) Deliveries under Priorities Regulation 24. Delivery of any item under and in accordance with Priorities Regulation 24.
- (c) Miscellaneous provisions-(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.
- (2) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-
- (3) Appeals. Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.
- (4) Communications. All reports required to be filed hereunder, and all communications (except appeals) concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref. L-123.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

Under paragraph (a) of the order, a rating of AA-5 or better is required for delivery of a new item of equipment in any class described below. Exceptions to this rule are listed in paragraph (b). "Item" means any new piece of equipment. Where a class description covers an item sometimes sold with a motor or other driving unit and sometimes without, in either case the item is subject to the restrictions of the order.

Component parts for the repair or manufacture of an item are not subject to the order as items in that class. However, if a particular part is itself within some other class as described below, then it is subject to

1. Air filters. Any equipment or device designed to filter or strain air or other gaseous matter for the purpose of removing dust or other particles of material or odors. Excluded are types using a non-metallic filtering medium, commonly known as the "throw-away" or "replaceable" types.

Air washers. Any equipment or device designed to wash air, including spray washers

and scrubbers.

3. Arc welding machines. Any machine or device designed to use, transform, or generate electricity (either direct or alternating current) for the deposit of metal by the electric arc process. Excluded are: Welding cable, electrode holders and arc welding electrodes.

4. Baling presses. Any machine or device designed to compress bulky materials into compact bundles or bales. Included are types for handling ferrous and non-ferrous scrap, paper, rubber, textiles, or miscellaneous waste materials. Excluded are balers which are farm machinery and equipment covered by Orders L-257 or L-257-a.

5. Compressors. Any portable or stationary machine or apparatus of the reciprocating type, designed to compress or exhaust air or other gas. Excluded are (i) items for use in therapeutic machines; (ii) items especially designed and fabricated solely for incorporation into or repair of other machinery (not compressors) produced by the same manufacturer; (iii) items for use in a refrigerating or air conditioning system.

as defined in Order L-38.
6. Ceramic machinery and equipment.
Any machine or device designed to crush, mix, prepare, form, cut, fire, burn, or otherwise process raw ceramic materials into finished ceramic products. "Ceramic products" includes structural clay products such as brick, tile, terra cotta and flue block, sewer pipe and drain tile, conduit, sanitary pottery, paving brick, flower pots, decorative pottery, artware pottery, tableware pottery, stoneware, crockery, earthware, and porcelain.
7. Concrete products machinery. Any ma-

7. Concrete products machinery. Any machine or apparatus designed to mix, prepare, form or otherwise process concrete or its components into block, brick, pipe or conduit. Included are block machines, pipe machines, mixers, skip hoists, off-bearing hoists, pallets, forms, and their accessories and attachments of any size or kind.

8. Dust collectors, industrial. Any equipment or device designed to collect or filter dust from air, flue gases, or other gas.

9. Dynamometers. Electric type; and rotary convertors

10. Electric motors and generators (fractional horsepower). Any machine or device containing an armature or similar rotating part and designed to transform electric energy into mechanical energy, or mechanical energy into electric energy or to transform or amplify electric energy of one type, voltage, or frequency into another, if built in a frame size smaller than frame size 203 (or frames smaller than those corresponding to one horsepower, 1800 RPM, 60 cycle, 2 or 3 phase). Excluded are starting motors, generators and magnetos designed for the in automotive vehicles covered by order L-158, or in internal combustion engines.

11. Fans, blowers and exhausters. Any device or machine which moves, compresses, or exhausts air or other gases by centrifugal, rotary or axial means. Excluded are: (i) propeller type fans designed for desk, pedestal, wall bracket, ceiling, and portable window mounting, powered by a fractional horse-power electric motor drawing 200 watts or less, as covered by Limitation Order L-176; (ii) items specially designed and fabricated solely for incorporation into or repair of other machinery (such as pulverizers, stokers, and boilers) produced by the same manu-

facturer; (iii) propeller type fans for use as a part of internal combustion engines; (iv) high pressure blowers included in Item 14 of this List A.

12. Flexible metallic hose, tubing and fittings. Any quantity of such hose, tubing or fittings, not electric conduit type.

13. Heat exchangers. Any equipment or apparatus consisting of an assembly, bundle, or nest of one or more bare or finned tubes (metallic or non-metallic) or metal plates, or any shell or pressure vessel for containing the same, designed for the transfer or exchange of heat between two or more fluids (liquids, gases or vapors). Excluded are the following: (i) Any item which is direct fired or installed within a flue gas passage; (ii) any item which permits direct contact involving physical mixing of the fluids (other than direct contact boiler feed water heaters); (iii) any steam surface condenser designed to condense exhaust steam from a prime mover to maintain a minimum exhaust pressure; (iv) any item for use on aircraft; (v) any radiator-type cooler; (vi) any unit heater, convector, unit ventilator, unit cooler or blast coil when any such item is for space heating or cooling or industrial space heating or drying; (vii) any indirect water heater, commonly referred to as a storage water heater and consisting of a heating element installed in a hot water storage tank for heating and storing hot water for any purpose; (viii) any indirect water heaters consisting of a coil or nest of tubes installed in a shell or pressure vessel with a diameter of 12 inches or less, or with an internal cross sectional area of 113 square inches or less when not circular in cross section, and used for supplying hot water for any purpose; (ix) any item of non-metallic construction for use in a chemical supplemental laboratory; (x) items specially designed and fabricated solely for incor-poration into or repair of other machinery (not heat exchanger) produced by the same manufacturer; and (xi) items for use in a refrigerating or air conditioning system, as defined in Order L-38.
14. High pressure blowers.

14. High pressure blowers. Any blower, compressor, exhauster, or vacuum pump of the rotative type, designed for pressure differential of 1½ pounds or more per square inch (including any diesel engine supercharger or scavenger, or any ballast unloading blower). Excluded are items for use in a refrigerating or air conditioning system, as defined in Order L-38.

15. Lifting magnets (electric). Circular types, 5 inches in diameter and larger.

16. Oil filtering and re-refining machines. Any equipment or device designed to filter, or to re-refine by heating or bleaching, lubricating or cutting oils which have been used. Excluded are centrifuges.

17. Ovens, industrial, drying, curing and finish-baking types. Any oven of the types used in industrial of commercial processes for drying, curing, or finish-baking ceramic, concrete, plastic or other products, except food or food products. Excluded are heat treating furnaces.

18. Paper shredders. Any machine or device designed to cut paper into narrow shreds, as used in the destruction of confidential papers or the preparation of packaging materials. Excluded are shredders for reprocessing waste into new paper.

19. Pumps. Any mechanically operated mechanism of the rotary, centrifugal or reciprocating type, designed for raising, circulating or otherwise moving any liquid. Included are pumps sold separately, or with a driving unit. Excluded are the following: (i) pumps specially designed and fabricated solely for incorporation into or repair of other machinery (not pumps) produced by the same manufacturer, (ii) pumps for use as parts of internal combustion engines, or parts of motor vehicles of the types covered

by Order L-158; (iii) pumps for use as parts of fire fighting equipment of the types covered by Order L-43; (iv) pumps which are farm machinery and equipment as defined in Order L-257; (v) service station type measuring and dispensing pumps; (vi) the following pumps when designed and used solely for heating of building space; condensate return pumps and hot water circulating pumps; (vii) pumps of the sanitary type for milk or egg processing; (viii) pumps ordinarily used for construction contractors' purposes or by construction contractors for dewatering and supply as defined in Order L-192.

20. Pressure vessels (including air receivers of all sizes and types). Any sealed carbon steel or alloy steel vessel or shell designed to withstand internal or external pressure for the purpose of retaining one or more fluids (liquids, gases, or vapors). Excluded are the following types: (1) direct fired vessels, such as boilers; (ii) vessels designed to contain water under pressure for domestic supply; (iii) vessels for transportation; (iv) vessels designed as heat exchangers or enclosures therefor (included in Item 13 of this List A); (v) vessels designed for cooking or preparing food stuffs; (vi) field assembled storage vessels such as spheres and spheroids; (vii) vessels, other than air receivers, with a liquid capacity of less than 30 cubic feet.

21. Stationary steam engines. Any steam engine not designed for use in locomotives or other equipment used for transportation

purposes, not marine.

22. Wire working machinery. Any new machine or equipment having a value of more than \$100 designed to cut, form, or fabricate any product from wire. Excluded are rubber covering machines, strainers and stoppers, vulcanizers of all types, and wire tying machines.

23. Insulation blowing machines. Any machine or device designed to blow insulating materials of any kind into the walls, ceiling or other part of a building or other structure to insulate it against heat transfer.

24. Electroplating and anodizing equip-"Electroplating equipment" means any of the following equipment intended to be used in the process of depositing metal by means of a solution and an electric current (except equipment for electrolytic refining of metals): Rinse tanks, acid dip tanks, plating tanks, cleaner tanks, spray tanks, linings for tanks, anode and cathode rods, racks and other forms for holding cathodes, motorgenerator sets, generators, rectifiers, panel boards, individual plating barrels, automatic or semi-automatic barrel plating machines, semi-automatic plating machines, full automatic plating machines, buffing lathes, degreasers, washing machines, ball anode containers, tank rheostats, cathode agitators, voltage regulators, plating baskets, filters and filter presses, dryers, tumbling barrels, and ventilating equipment.

"Anodizing equipment" means any of the following equipment intended to be used in the electrochemical treatment of the surface of any metal to produce a corrosion-resistant film on the surface of the metal: cleaner tanks, rinse tanks, anodizing tanks, chrome dip tanks, dye tanks, linings for tanks, anode and cathode rods, racks, motor-generator sets, generators, rectifiers, tank rheostats, panel boards, automatic anodizing machines, temperature controllers and regulators, baskets, meters, control and recording instruments, voltage regulators, and ventilating equipment.

25. Oxy-acetylene apparatus. "Oxy-acetylene apparatus" means (i) any new device which uses oxygen, in conjunction with acetylene or other fuel gases, for the welding, heating, spraying or cutting of metals; or (ii) any new acetylene generator.

[Interpretations 1, 2 and 3 to Limitation Order L-123 revoked February 28, 1944]

[F. R. Doc. 44-13254; Filed, August 31, 1944; 10:31 a. m.]

PART 1029-FARM MACHINERY

[Limitation Order L-257, as Amended Aug. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of farm machinery and equipment and repair parts therefor, for defense, for private account and for export: and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.15 Limitation Order L-257-(a) What this order does. This order describes the rules governing the manufacture of farm machinery and equipment and repair parts for sale in the continental United States and possessions. (Manufacture for export is covered by Order L-257-a.) To aid manufacturers in planning a continuous production cycle, it is the intention that this will be the basic order from year to year. However, it is expected that a new schedule of quota percentages will be issued as a part of the order each year for the "current quota period" starting July 1 of that year, and this will become the "applicable schedule" for that period. For example, the applicable schedule for the period July 1, 1943 to June 30, 1944, is Schedule A; for the following twelvemonth period starting July 1, 1944, the new applicable schedule might be called Schedule B, etc. In order that producers may plan their production and order materials in advance, they may assume that the schedule in effect at any particular time will continue into the next "current quota period", until such time as a new schedule is issued. There is no quota limitation on repair parts or attachments:

In addition to quota and other limitations on manufacture, this order also has rules on the filing and approval of production schedules, covering machinery and equipment (both farm and nonfarm) and repair parts. Producers affected must stick to their schedules, with certain exceptions, so that the various programs, both farm and non-farm, can be met on time.

(b) Definitions. For the purpose of this order (and any orders supplementary hereto, unless otherwise indicated):

(1) "Producer" means any person, other than a supplier, engaged in the manufacture (in the United States) of farm machinery and equipment or of attachments or repair parts for farm machinery and equipment.

(2) "Small producer" means any producer whose total net sales (including exports and sales by affiliates) of all products did not exceed \$100,000 during the calendar year 1941; and includes any other producer who has been classified by the Smaller War Plants Corporation as a "smaller, distressed producer" and is specifically designated as such for the purpose of this order by the War Production Board, on such terms and

conditions as may be proper.
(3) "Manufacture" means to put into process, machine, fabricate, or otherwise alter materials by physical or chemical

means.
(4) "Supplier" means any person engaged in the manufacture (for sale to a producer in the United States) of materials, parts, assemblies or subassemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair

parts.
(5) "Machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) of the types ordinarily manufactured for farm use, and listed on the applicable schedule attached hereto.

(6) "Farm use" means use for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry). The term also includes use for the production or care of crops in "victory gardens" with respect to atomizing hand sprayers, hand dusters, wheel-type hand cultivators and wheel-type hand plows, and use for any civilian purpose with respect to horseshoes, muleshoes, oxenshoes and harness hardware.

(7) "Farm machinery and equipment" means machinery and equipment which is manufactured specifically for farm use, including irrigation and drainage equipment (excluding tile), horseshoes, muleshoes, oxenshoes, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, fencing, poultry netting and wire, wire fencing, bale ties or straps, oil well casing and water pipe, grain bins and corn cribs, water storage tanks, nails (all kinds), and sundry hardware (including hand tools, chains, barn door track, pulleys, scales, and similar items not specified on the applicable schedule).

(8) "Non-farm machinery and equip-ment" means machinery and equipment, as defined in paragraph (b) (5) above, which is manufactured pursuant to rated orders for any purpose other than farm use and includes industrial models of wheel-type tractors (CMF Code 319) not ordinarily manufactured for farm use.

(9) "Attachment" for machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine. No item (other than Item No. 313) listed on the applicable Schedule shall be deemed an attachment.

(10) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of "farm machinery and equipment" and shall include plow shares and shapes, and water pump cylinders. No item listed on the applicable schedule shall be deemed a repair part.

(11) "Base production" means the weight of a producer's total manufacture

in the United States of any item of farm machinery and equipment for sale in the United States during either the calendar year 1940 or 1941, in whichever year such weight was the greater.
(12) "United States" means the forty-

eight states, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and all other territories and pos-

sessions of the United States.

(13) "Current quota period" means the twelve-month period which starts July 1 of any year and ends June 30 of the following year, as identified on the applicable schedule.

(14) "Applicable schedule" means the particular schedule relating to a current quota period, and fixing manufacturing quotas (for sale in the United States) for each item listed for that period.

(c) Restrictions on production for domestic farm use—(1) Manufacturing quotas. During any current quota period, no producer shall manufacture, for sale in the United States, more of any item of farm machinery and equipment (by weight) than his quota for that item. This quota is figured by taking the percentage shown for the item on the applicable schedule, and multiplying it by his base production of the item. Exceptions to this general rule are stated in paragraph (d). Special restrictions are set forth in subparagraph (2) below and in paragraph (f).

(2) Special restrictions. (i) The quota for items of farm machinery and equipment for any person who had no "base production" in 1940 or 1941 is limited to an aggregate value of not more than \$2,500 during any current quota period. This limit does not apply to repair parts or attachments under paragraphs (d) (1) and (d) (3), nor to any production under Direction 3 to this order, nor to any item which may be specifically removed from quota limitations.

(ii) No item which is not provided for in the applicable schedule shall be manufactured as "farm machinery and equipment" for sale in the United States.

(iii) No person shall manufacture for sale in the United States any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type. Combines.

Pick-up hay balers and field hay harvesters. Corn pickers.

Power sprayers over ten gallons per minute. Any item requiring tires to be mounted on wheel rims of the following sizes (diameter): 15", 16", 18", 20" and 21".

(iv) No producer who is not a "small producer" shall manufacture, for sale in the United States, any item of farm machinery and equipment or repair parts (or non-farm machinery and equipment) except to the extent listed on an approved production schedule under paragraph (e).

(3) Adjustments in quotas. The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be

used, the need for particular items at the time required in particular areas, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) Exceptions-(1) No quota for repair parts. Producers may manufacture repair parts for sale in the United States without any restrictions as to quota, However, they must comply with paragraph (e) with respect to production schedules.

(2) Bracketed items. Wherever, in an applicable Schedule, two or more items are bracketed together, the producer must apply the individual percentages to his base production of each item in the bracket and add up the various weights. This total permissible weight may then be distributed among all or any one or more of the items in that bracket as he chooses (regardless of the individual quota percentages).

(3) No quota restrictions on attach-ments. "Attachments" may be manufactured for sale in the United States without any restrictions as to quota. However, it is necessary to comply with paragraph (e) with respect to produc-

tion schedules.

(4) Small producers. Any "small producer" may use the quota percentage "100%" instead of the quota percentage listed on any applicable schedule for any item or items which he makes, but only to the extent that the weight of his total manufacture of all items of farm machinery and equipment during the current quota period does not exceed, in the aggregate 100% of his base production of these items. In addition, small producers do not have to comply with certain provisions of this order with respect to production schedules or monthly reports, as stated in subparagraph (c) (2) (iv) and paragraphs (e) and (k). However, this does not relieve them from complying with all CMP Regulations and procedures.

(5) Production before or after current quota periods—(i) Advance plan-ning of production. Before the beginning of any current quota period, producers may plan their production, order materials and start initial fabrication in accordance with the applicable schedule for the coming period. For this purpose, until such time as a new applicable schedule is issued, it may be assumed that the schedule currently in effect will apply for this next period. In other words, the schedule in effect is always the "applicable schedule" unless and until displaced by a new schedule.

(ii) Carry-over of uncompleted portions of quotas. Any portions of quotas for sale in the United States under an applicable schedule (including all amendments appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period but only to the extent that they can be completed by July 31 of this next period. However, uncompleted quotas (domestic, and those under Schedule B-6) under Order L-170 may be carried over as explained above for completion any time before June 30, 1944. In addition, uncompleted quotas for the following items of harvesting machinery and equipment under Schedule A (including special authorizations, etc.) may be carried over for completion any time before September 30, 1944:

Combines (Items 126 and 126a only) Corn binders (Items 132 and 132a only). Corn pickers (Items 133-136). Field ensilage harvesters (Item 137). Peanut pickers (Item 161) Corn shellers (Items 166 and 167 only). Hay balers (Items 172, 172a and 172b only). Feed grinders and crushers (Items 174, 175, and 175a only). Portable elevators (Item 188).

(6) Substitute materials. Any person may manufacture for sale in the United States the following items, without regard to the restrictions of this order, if they are made from the substitute materials listed:

Bee hives. Farm gates. Feed trucks. . Grit boxes. Hog troughs. Laying nests. Livestock feeders. Milk stools. Poultry feeders. Poultry waterers.

These items are unrestricted only if they are made entirely (except for nails and essential strappings and fastenings, and except for doors in the case of livestock feeders) from any one or more of the following materials:

Note: List amended July 14, 1944.

Glass or other ceramic products. Plain concrete.

Some of the items listed above are also given quotas on the applicable schedule. These quotas apply only to the extent that the items are to be made from iron or steel.

NOTE: See Direction 3 to this order which removes quota restrictions under certain conditions.

(7) Substitution for critical materials encouraged. If the weight of any item of farm machinery and equipment manufactured by a producer has been or will be increased by his substituting for more critical materials any of the materials listed above in subparagraph (d) (6), he may still manufacture in any current quota period the number of units which would have been within his domestic quota before making the substitution. Also a producer may apply for additional quota for any item in which he can substitute these materials entirely for more critical materials.

(8) Assignments of quota. All assignments of quota specifically authorized by appeal under Limitation Order L-170 for the period starting November 1, 1942, or under this Order L-257, are re-authorized for each current quota period. The assignee, in figuring his additional quota, must take the percentage on the applicable schedule for each item transferred and multiply it by the assignor's base production of that item. The assignor's quota is, to that extent, revoked.

(e) Production schedules—(1) AA-2 for purpose of scheduling production. Producers and other persons authorized to manufacture under this order may schedule their production of items of farm machinery and equipment and repair parts as if the orders for these items bore a rating of AA-2.

(2) Production schedules must be filed: exemption for "small producers". With respect to each item of machinery and equipment (both farm and nonfarm) and repair parts, each producer must file a production schedule on Form WPB-3181, listing the quantities he plans to have available for shipment (within his quota and other authorizations under this order) to various classes of customers, in accordance with the instructions on the form. This production schedule is deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production "Small producers" do not have Board. to file this form.

(3) Items on approved schedule to be available for shipment; changes in schedule. Each producer must have available for shipment each month to each class of customer the quantities of each item and of repair parts as indicated on his approved schedule. How-ever, he may complete (within his approved total) more than his schedule in any month, except that, in the case of wheel-type tractors, a producer may not complete in any calendar quarter more tractors than the total shown on his approved schedule for that quarter, plus any approved amounts scheduled but not completed in previous quarters. He may also, if necessary, delay completion of any quantities scheduled for any class of customer for any month up to the last day of the next month. Any other change in an approved schedule must be reported on Form WPB-3181 and the change will be deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board.

(4) Deliveries for farm use protected. A producer must deliver all quantities of items and repair parts listed on an approved schedule (WPB-3181) for farm use and for export without regard to preference ratings, unless otherwise specifically directed in writing by the War Production Board. Small producers may deliver items for farm use and for export without regard to any orders bearing preference ratings of

AA-2x or lower.

(f) Further restrictions. (1) |Deleted Mar. 23, 1944]

(2) Restrictions on sale for domestic use. Subject to such directions as may be issued from time to time as to rationing control by the War Food Administrator, no person shall sell any item of new farm machinery and equipment (except poultry equipment, horseshoes, mule-shoes, oxenshoes, and harness hardware) which was manufactured for sale in the United States, and which he knows or has reason to believe will not be used in the hands of the ultimate consumer for farm use, except to fill a contract or purchase order bearing a preference rating of AA-4 or higher. If the rated order is for an item which farmers can get only by furnishing purchase certificates under Food Production Order 14 or any other applicable regulation of the War Food Administration, the seller must not fill the order from stock. However, in the following special cases,

the seller may sell any of these items from stock for non-farm use on an order rated AA-4 or higher:

(i) If the item is in his stock as a replacement for one previously sold on a

rated order, or (ii) After he has extended the rated

order to his supplier and has actually received the particular item, or

(iii) If the rated order is placed with him directly by the Army or Navy (and not indirectly by a contractor or other-

(iv) If he is a producer (but producers must comply with all applicable orders and regulations, particularly paragraph

(e) (4) of this order).

(g) Excess inventory. Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts authorized to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(h) Conservation of materials. (1) If any other order of the War Production Board limits the use of critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts to a greater extent than this order does, the other order shall govern unless it states other-

wise.

(2) The War Production Board may also from time to time issue special orders requiring standardization, simplification, substitution, or other measures to save critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or

repair parts.

(i) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-

(j) Exceptions and appeals-(1) Production under Priorities Regulation 25. Any person who wants to manufacture for sale in the United States more farm machinery and equipment (except tractors) than the quotas fixed in the applicable schedule or paragraph (c) (2) (i), or who wants to manufacture as "farm machinery and equipment" any item not provided for in the applicable schedule, may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization to increase his quota under paragraph (c) (3), or (until September 15, 1944) under Direction 4 to With respect to repair parts, this order. attachments, and other items not subfect to quota restrictions, a person may also apply as explained in Priorities Regulation 25 if he wants to make more of any of those items than are shown on his approved production schedule, or if he has no approved schedule for the item. The provisions of paragraphs (c) (2) (iv), (e) and (k) with respect to approved production schedules and reports do not apply to production authorized under Priorities Regulation 25, but the delivery restrictions of paragraph (f) (2) continue to apply to such production.

(2) Appeals. Any appeal from the provisions of this order, other than the restrictions of paragraphs (c) (1), (c) (2) (i) and (c) (2) (ii), shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the restrictions of paragraph (c) (1), (c) (2) (i), or (c) (2) (ii).

(k) Reports. Each producer who is not a "small producer" must file by the 10th day of each month a report on Form WPB-1768 of his production during the previous month in accordance with the accompanying instructions. The first report must be filed on or before September 10, 1943. In addition, if any serious production trouble or delay develops between dates of filing the above Form WPB-1768, the producer should immediately advise the War Production Board, including the following information where applicable:

(1) The name of any material or component part, the non-delivery of which is, or will be, materially retarding his production.

(2) The name of the manufacturer or supplier with whom the order was placed.

(3) Producer's purchase order number.

(4) Date of the order.

(5) Supplier's order number.

(6) Promised date of delivery.

"Small producers" and all other persons authorized to manufacture under this order who do not report monthly on Form WPB-1768, must file by August 10, 1944, a report on Form WPB-3808 of their production during the entire current quota period starting July 1, 1943. This report should be filled out in accordance with the instructions on the form.

(1) Applicability of regulations. This order and all transactions affected by it are subject to all present and future regulations of the War Production Board, unless this order states otherwise.

(m) Order L-170. Except as otherwise stated in this order, it supersedes Limitation Order L-170 as of July 1, 1943.

(n) Communications. All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25. D. C. Ref: L-257.

Note: The reporting requirements in paragraphs (k), (c) (2) (iii), (e) (2) and (e) (3) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, J. JOSEPH WHELAN, Recording Secretary.

Note: Schedule A deleted August 31, 1944, since it expired June 30, 1944. Any quotas under that Schedule which are not completed by the end of the grace period specified in paragraph (d) (5) (ii) of L-257 are cancelled. Production for farm use for the current quota period July 1, 1944 to June 30, 1945, is covered by Schedule B.

[F. R. Doc. 44-13305; Filed, August 31, 1944; 12:04 p. m.]

PART 1029-FARM MACHINERY

[Limitation Order L-257, Schedule B, as Amended Aug. 31, 1944]

SCHEDULE B QUOTAS, DOMESTIC FARM USE, JULY 1, 1944 TO JUNE 30, 1945

§ 1029.17 Schedule B to Limitation Order L-257. In accordance with the provisions of Order L-257, this Schedule B is the "Applicable Schedule" for the current quota period July 1, 1944 to June 30, 1945. With a few minor changes, such as consolidations of certain items, it contains the same items and corresponding item numbers as shown on Schedule A. However, there have been important changes in the quota percentages for the new "current quota period", and also more liberal "bracketing" of many items is permitted.

The production quotas set forth in this Schedule B should be used by producers as the basis for planning their production, establishing production schedules and ordering material under CMP. The War Production Board may establish a final distribution pattern which is not in accord with these quotas. Any additional controls or exemptions which may be desirable with regard to production quotas, and any modifications with respect to final distribution of completed machines, will be issued as the need arises. In figuring his permitted production, each producer must comply with the provisions of the basic Limitation Order L-257, unless this Schedule B states otherwise.

EXPLANATORY NOTES TO SCHEDULE B

Quotas for new machinery and equipment for farm use are expressed as a percentage of the net shipping weight of each item produced during 1940 or 1941, whichever was

There are no quota limitations on the manufacture of repair parts or attachments. There are also no quota limitations on any

item having no quota percentage and marked "not limited"

In accordance with paragraph (d) (2) of L-257, production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket, so long as the total weight does not exceed that determined by applying the various quota percentages to the items in the particular bracket

"Small producers" may use the quota percentage of 100% for any item or items they manufacture, so long as their aggregate production of all items (excluding repair parts and attachments) does not exceed 100% of their total 1940 or 1941 production, whichever was higher, as provided in paragraph (d) (4).

Any item of farm machinery and equipment not provided for in this schedule B is not to be manufactured for sale in the United States, unless specifically exempted under the order. Moreover, any manufacture of an item in excess of the percentages established in this Schedule B, even though it may be scheduled for production under paragraph (e), is permitted only if specifically authorized pursuant to paragraph (c) (3) or under a direction to this order,

Note: Table amended August 31, 1944.

GROUP 1: PLANTING SEEDING AND FERTILIZING MA-

	CHINERY	
DIV	ISION 1: PLANTERS (HORSE AND TRACTOR DRAV	WN)
Item)uota ercent
1		
2	One row, one horse, corn and cotton, peanul	
8	one row, two horse, corn and cotton	75
4	Two row, corn	75
	Two row, corn and cotton	77
4 5 6	Three row and over, corn	60
2	Three row and over, corn and cotton	100
100	I lifee row and over, corn and cotton	. 100
	DIVISION 2: PLANTERS (TRACTOR MOUNTED)	
8 9	One row, corn	0
9	One row, corn and cotton	73
10	Two row, corn	941
11	Two row, corn and cotton	71
12	Three row and over, corn	125
13	Three row and over, corn and cotton	125
	ION 3: POTATO PLANTERS (HORSE AND TEL	
14	One row	1401
14a	Two row and larger	140
	DIVISION 4: TRANSPLANTERS	
15	Horse or tractor drawn, tractor mounted or self-propelled	147
16	Hand, wheel type	147

17 One row—combined with item 64. 18 Two row—combined with item 65. 19 Three row and over—combined with item 66.
DIVISION 6: LISTERS WITH FLANTING ATTACHMENTS (TRACTOR MOUNTED)

DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN

One row—combined with item 67. Two row—combined with item 68. Three row and over—combined with item 69. DIVISION 7: BEET AND BEAN DRILLS OR FLANTERS

23	Horse or tractor drawn or tractor mounted	123
	DIVISION 8: GRAIN DRILLS	

	Division of Salam Parisas	
24	One horse, plain or fertilizer, three to seven	60
28 26	Fertilizer drills horse or tractor drawn	103
	DIVISION 9: BROADCAST SEEDERS	
27 28	Wheeled, horse or tractor drawn Endgate	52 82 65
29	Hand (wheelbarrow and other)	65)

	DIVISION 10: GARDEN PLANTERS	
30	Hand, wheel type	77) 109

GROUP 1:		SEEDING AND	
----------	--	-------------	--

DIVISION 11: FERTILIZER DISTRIBUTORS
Quota
Item No. Percent
32 Horse or tractor drawn or tractor mounted 84 32d Hand propelled 90
DIVISION 12: LIME SPREADERS (SOWERS)
33 Wheeled hopper type sower, horse or tractor drawn. 61
34 End-gate type 61
34s Trailer type 61
35 Truck body type100/
DIVISION 13: MANURE SPREADERS AND LOADERS
36 Four wheel, horse or tractor drawn 63)
37 Two wheel, tractor drawn 78}
37a Manure loaders 125
DIVISION 14 OTHER PLANTING, SEEDING AND FERTILIZING MACHINES

Limestone pu-verizers (farm size, under 14"). Uni-carrier, chassis or rear tool bar (short and long) for mounting tools, pull type. Tool frame, attached or rear tool bar (short and long) for mounting tools on tractor... Potato cutter. Misc. planting, seeding and fertilizing equipment ment

DIVISION 15: ATTACHMENTS 41 Attachments consolidated into a single Item 313

GROUP 2: FARM PLOWS AND LISTERS DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)

Walking, one horse, steel bottom 62
Walking, one horse, chilled bottom—combined with item 42
Walking two horse and larger—combined with item 42
Sulky 90
Gang, two bottom and larger 90 44

DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED) 47 One bottom, tractor drawn

478	One bottom two way (one furrow) tractor drawn
48	Two bottom, tractor drawn 8
488	Two bottom, two-way (two furrow) tractor drawn
49	Three bottom, tractor drawn
50	Four bottom, tractor drawn10
51	Five bottom and larger, tractor drawn 8
52	One bottom, tractor mounted
528	One bottom, two-way (one furrow) tractor

DIVISION 3: DISC PLOWS (HORSE DRAWN)
Single disc and larger
DIVISION AS DISC BLOWS (TRACTOR DRAWN)

0

54

MENTS)

Two bottom, tractor mounted.

5	One disc
3.	Two disc
7	Three disc
8	One disc-direct connected (1 wheel type)-
	combined with item 55
9	Two disc-direct connected (1 wheel type)-
	combined with item 56
9a	Three disc-direct connected (1 wheel type)-
	combined with item 57

h
-
-
-

DIVISION 5: ONE-WAY DISC PLOWS OR TILLERS

63	Under	five feet.					70
63a]	Five f	oot and o	ver				70
DIVISIO	ON 6:	LISTERS	AND	MIDI	DLEBUSTER	S CHORSE	0
TRA	CTOR	DRAWN)	CWITE	OR	WITHOUT	PLANTING	A

64						etor dr				
65						actor d				
66	Th	ree	row	and	larger	, horse	or tr	actor	draw	n. 126
		340								
						MIDD				
350	TIME	P.TW	EW	TWY	OP T	VITHOU	T PI	ANTI	NG AT	PTACH-

67	One row, tractor mounted	6
68	Two row, tractor mounted	8
69	Three row and larger, tractor mounted	1
698	Three row ridgers	8
	DIVISION 8: SUB-SOIL PLOWS	

Tractor drawn_____

GROUP 2: FARM PLOWS AND LISTERS-Continued DIVISION 9: PLOW STOCKS

Item	No. Pe	rcen
73	Single or double stocks.	66
	DIVISION 10: OTHER PLOWS AND LISTERS	
74 75 76	Basin tillerCane row plows	
76	Misc. plows and listers	
	DIVISION 11: ATTACHMENTS	
77	Attachments consolidated into a single	

Group 3: Harrows, Rollers, Pulverizers & Stalk Cutters

DIVISION 1: FARM TYPE HARROWS

	Spike tooth harrow sections, horse or tractor drawn
79 8	Spring tooth harrow sections, horse or tractor drawn.
80 1	Disc harrows, horse drawn
80e 1	Disc harrows tractor drawn or tractor mounted
80h I	Disc harrow, offset-tractor drawn
81 I	Disc harrows, tractor mounted and tool bar type, combined with 80e
81a C	Dane disc harrows, tractor mounted and tool bar type

DIVISION 3: SOIL PULVERIZERS AND PACKERS

82 Smooth land rollers, not including lawn rollers. 61)

talk cutters, horse or tractor drawn	75:
leed cutters (rotary blade type; not hand	
type)	75
ane stubble shavers	85
	yeed cutters, forse of tractor drawn yeed cutters (rotary blade type; not hand type)ane stubble shavers

Ridge busters, borse or tractor drawn...... 100

	DIVISION 6: OTHER HARROWS AND BOLLERS	
87 87a 88	Combination harrow and rollers	91 72 60
89	Misc. harrows and rollers	60

Attachments conrolidated into a single

GROUP 4: CULTIVATORS AND WEEDERS

DIVISION I CULTIVATORS THORSE & TRACTOR DRAWND

0.95	One horse (all types, including hillers, disc hoes, shovel plows, little joes, and similar	91
	type harrows and rotary harrows	
	One row, walking, two horse	92
	One row, riding, two horse	93
		93b
	Two row, riding, horse drawn	
90	One and two row, riding, horse drawn, listed corn type	84
n	Two row and over, tractor drawn, listed corn	£4b
100	type.	
- 67	Beet and bean cultivators.	95
0-	Two row wing and disc hoes and hillers, po-	95b
	tato, horse or tractor drawn or tractor	
	mounted	
y-	Field cultivators, including chisels and or	\$6
	chard cultivators	
	Hand cultivators, wheel type, including hand	97
110	plows	1

	ATTORNOT AT COMATTORNO INDICATOR DECIDION	
98	One row	33
99	Two row, shovel or disc type	75
99a	Two row, listed corn type	75
100	Three row and over, all types	130
101	Narrow row, four and six row (beet, bean and	
	vegetable cultivators)—combined with item 100.	
101a	Combination cultivators and planters, two	
	row, corn and cotton	75
101b	Cane cultivators	133
201.1	Field cultivator mounted and tool has twee	

including chisel and orchard cultivators.... DIVISION 3: ROTARY HOES

02	Rotary hoes, horse or tractor drawn	ŧ
	DIVISION 4: WEEDERS, DRAWN OR MOUNTED	
03	Rod weeders	6
04a	Tooth weeders, two horse, riding	
04b	Tooth weeders, tractor drawn or tractor mounted	15

GEOUP 4: CULTIVATORS AND WEEDERS-Continued	GROUP 6: HARVESTING MACHINERY-Continued	GROUP 8: MACHINES FOR PREP. CROPS FOR
DIVISION 5: OTHER CULTIVATORS & WEEDERS	DIVISION 7: BEAN CUTTERS OR PULLERS Quota	MARKET OR USE—Continued
Item No. Quota Percent	Rem No. Percen	DIVISION 9: FEED GRINDERS AND CRUSHERS (FARM)
105 Beet, cotton, or vegetable thinners	140 Horse of tractor drawn 127- DIVISION S: SUGAR BEET & CANE HARVESTING EQUIPMENT	Hem No. Quota Percent
105b Cyclone weeder 95 106 Misc. cultivators and weeders 85	141 Beet lifters, horse or tractor drawn or tractor	17. Hand 52 174 Power, burr type 58 175 Hammer type 58
DIVISION 6: ATTACHMENTS	mounted. 68 141b Beet harvesters. 150 141c Beet loaders. 150	1753 Roughage mills, combination type with cut-
107 Attachments consolidated into a single ltem 313	14id Cane harvesters	175b Feed mixers (not concrete mixers)
GROUP 5: FARM SPRAYERS, DUSTERS, & ORCHARD	DIVISION 9: OTHER HARVESTING EQUIPMENT	DIVISION 10: GRAIN CLEANERS AND GRADERS
HEATERS DIVISION 1: FOWER SPRAYERS	142 Cotton harvesters, stripper type 150 142a Cotton pickers 150	176 Cleaners and graders—farm type (small grain and seed) 63
108 Market garden type, under six G, P, M. 100)	143 Vegetable pullers and pickers	DIVISION 11: SORTERS AND GRADERS
108a Orchard type, auxiliary engine 100 108b Orchard type, power take-off 100	143b Spinach harvesters 150 144 One row soybean harvesters 150 144a Grass seed harvesters or strippers 80	177 Potato sorters and graders
108g Field or row crop type, auxiliary engines. 100 108h Field or row crop type, power take-off. 100 108m Field or row crop type, tractor mounted. 100	144b Flax pullers 100 144c Hop pickers 67	conveyors 90 177b Vegetable toppers 90
108n Propeller blast type 100 109 Traction sprayers 100	144d Peanut diggers 150 144e Misc. harvesting equipment 90	177c Nut hullers, graders, sackers, conveyors 60 DIVISION 12: MAPLE SYRUF EVAPORATORS
DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, ENAP-	DIVISION 10: ATTACHMENTS	178 Complete sets of pans, not including furnaces, 69
SACK, ETC. WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GAL.)	145 Attachments consolidated into a single Item 313	179 Furnaces 58 DIVISION 13: CANE SYRUP EVAPORATOR
110 All types other than atomizing. 80 111 Knapsack, self contained, combined with	GROUP 7: FARM HAVING MACHINERY	180 Complete sets of pans, not including lurnaces. 25, 181 Furnaces. 77
item 110 Trombone pump type, combined with item	DIVISION 1: MOWERS 146 Horse or tractor drawn (ground drive) 49	DIVISION 14: CANE MILLS—FARM SIZE
113 Bucket pump type, single cylinder com- bined with item 110.	147 Tractor mounted or semi-mounted (power take-ofi drive) 76	18: Cane mills (farm size) 63
110. 113 Bucket pump type, single cylinder combined with item 110. 114 Bucket pump type, double cylinder, combined with item 110.	Note: Production of Items 146 and 147 for non-farm use is governed by this Order L-257 only if the particular Item is a sickle bar mower	DIVISION 15: CIDER MILLS AND FRUIT PRESSES
capacity)	having bars more than 4 ft. in length. All other	183 Cider mills and truit presses 22
116 Atomizing, continuous (1 qt. and larger capacity) combined with item 115	mowers for non-farm use are governed by Order L-67.	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE
DIVISION 3: HAND PUMP SPRAYERS (CAFACITY SIX GAL. OF MORE)	DIVISION 2: RAKES 148 Sulky (dump) 62)	184 Tobacco curers 77
117 Barrel pump sprayer	148 Sulky (dump) 62 149 Side delivery (including comb., side rakes 113 150 Sweep 90	185 Broom corn de-seeders 80 186 Miscellaneous 80
DIVISION 4: SPRAY PUMPS, POWER	DIVISION 3: HAY LOADERS	DIVISION 17: ATTACHMENTS
11: Spray pumps, power104	151 Hay loaders 27	187 Attachments consolidated nto a single Item 313
DIVISION 5: WEED AND FEAR BURNERS 120 Weed and pear burners	DIVISION 4: STACKERS 152 Stationary	GROUF 9: FARM ELEVATORS AND BLOWERS DIVISION 1: ELEVATORS—FORTABLE
120 Weed and pear burners	152a Combination stacker-loaders	188 Elevators, portable100
121 Power duster, auxiliary engines	DIVISION 5: PICE-UP HAY BALERS & BALE LOADERS 153 Pick-up hay balers—power take-off	DIVISION 2: ELEVATORS—STATIONARY
121a Power duster, power take-off 128 122 Traction dusters 100 123 Hand dusters, all types 100	153a Pick-up hay balers—auxiliary engine 160 153b Field bale loader 150	189 Elevators, stationary 72
DIVISION : ORCHARD HEATERS	DIVISION 6: OTHER HAVING MACHINERY	DIVISION 2: BLOWERS—GRAIN & FORAGE 190 Blowers (grain) 150
124 Orchard heaters and smudge pots 100	154 Field hay choppers and harvesters 150 155 Misc. haying machinery 90	190a Blowers (forage)
124a Wind frost protection machines	DIVISION 7: ATTACHMENTS	DIVISION 4: ATTACHMENTS 191 Attachments consolidated nto a single Item 313
DIVISION 8: ATTACHMENTS 125 Attachment: consolida ed into a single Item 313	157 Attachments consolidated into a single Item 313	GROUP 10: TRACTORS
GROUP 6: HARVESTING MACHINERY	GROUP 8: MACHINES FOR PREF. CROPS FOR MARKET OR USE	DIVISION 1: FARM TRACTORS, WHEEL TYPE. BY RATED BELT H. P.
DIVISION 1: COMBINES (HARVESTER-THRESHERS)	DIVISION 1: STATIONARY THRESHERS-GRAIN, RICE &	192 Special purpose, under 3t hp. 55
126 Width of cut, 6 ft. & under, auxiliary engines. 75 126a Width of cut, 6 ft. & under, power take-off 75	158 Threshers, width of cylinder under 28 ins 65)	193 Special purpose 30 and over
127 Width of cut, over 6 ft., including 10 ft 110} 128 Width of cut, over 10 ft., including 15 ft 118	159 Threshers, width of cylinder 28 ins. & over 47] DIVISION 2: STATIONARY PEA & BEAN THRESHERS	195 All purpose 30 and over 55)
128a Windrowers or swathers	160 Stationary pea and bean threshers	196 Garden tractors (including motor tillers) 76
DIVISION 2; GRAIN AND BICE BINDERS	DIVISION 3: PEANUT PICKERS	DIVISION 3; ATTACHMENTS
129 Grain binders (ground drive) 60 130 Grain binders (power take-off) 79	161 Peanut pickers	197 Attachments consol dated into r single Item 212
131 Rice binders	162 Ensilage cutters (silo fillers)	GROUF 11: ENCINES [Items 198, 199, 200, 201, 20; and 203 cancelled—scheduled
132 Corn binders, ground drive 93)	DIVISION 5: FEED CUTTERS—HAND AND POWER	by automotive division
132a Corn binders, power take-off. 93 132b Corn harvester, sled and wheel type	163 Feed cutters, hand and power	DIVISION 5: ATTACHMENTS
DIVISION 4: CORN PICKERS		204 Attachments consolidated nto a single Item 31:
133 One row, mounted type	164 Corn shellers (hand) 43 165 "Spring (2, 4, 6 and 8 hole) 0 166 Cylinder (150 Bu. and under) 53 167 Cylinder (Over 150 bushels) 45	GROUP 12: FARM WAGONS, GEARS & TRUCKS (NOT MOTOR)
134 Tworow, mounted type. 135 135 One row, pull type. 135 136 Tworow, pull type. 150	DIVISION 7 CORN HUSKERS AND SHREDDERS	DIVISION 1: WAGONS AND TRUCKS
DIVISION 5; FIELD ENSILAGE HARVESTERS—BOW TYPE	168 Combination corn huskers—shredders	205 Wagon gears (less box)
137 Field ensilage harvesters (row type) 150	170 Corn shredders 0	206a One horse wagon (less box) 70
DIVISION 6: POTATO DIGGERS AND PICKERS	DIVISION 8: STATIONARY HAY & STRAW BALERS	207 Wagon & truck boxes, farm
139 One row, ground drive 150	171 Horse 76 172 Auxiliary engine 36 172a Belt-driven or power take-off 36 36	DIVISION & FARM SLEIGHS
138 Walking plow type 150 139 One row, ground drive 150 139a One row, power take-off 150 139b Two row, power take off 150 139e Potato pickers 150	172c Broom corn balers 79 172d Peanut hay balers 75	208 Sleighs & bob-sleds, farm180

GROUP 12: FARM WAGONS, GEARS & TRUCKS	GROUP 16: DAIRY FARM MACHINES & EQUIP-	GROUP 18: FARM POULTRY EQUIPMENT—Con.
(NOT MOTOR)—Continued	MENT—Continued DIVISION 4: FARM BUTTER MAKING EQUIPMENT	DIVISION 5: POULTRY FEEDERS Quota
DIVISION 4: TRAILERS—FARM Quota	Quota	Rem No. Percent
Item No. Percent	Item No. Percent 243 Butter churns 781	286 Poultry feeders (iron and steel)
209 Trailers, farm 0* *Unless special permission is given under	243 Butter churns	DIVISION 6: POULTRY WATERERS AND WATER HEATERS
paragraph (c) (3) of L-257. DIVISION 5: OTHER TRANSPORTING EQUIPMENT (NOT	DIVISION 5: OTHER DAIRY FARM EQUIPMENT	287 Poultry waterers (iron and steel) 97 287a Automatic float valves 100
MOTOR TRUCKS)	245 Milk palls 120 246 Milk strainers 120 247 Stirrers 60	287b Fountain heaters 100
210 Tobacco trucks 70 210a Buggies and spring wagons, farm 70	248 Cream setter cans 50	DIVISION 7: LAYING NESTS AND GRIT BOXES
211 Cane wagons and carts 113 211a Misc 50	248a Sterilizing tanks 70 248b Dairy washing tanks 72 248c Dairy water heaters (excluding boiler-type	288 Laying nests (fron and steel) 50 289 Egg baskets 100 289b Grit boxes (fron and steel) 50
DIVISION 6: ATTACHMENTS	and pressure type heaters) 70 248d Canracks 70	
212 Attachments consolidated into r single Item 313	248e Misc. dairy farm equipment (list additional items separately)	DIVISION 8: OTHER FARM POULTRY EQUIPMENT
GROUP 13: DOMESTIC WATER SYSTEMS (FARM TYPE)	DIVISION 6; ATTACHMENTS	290 Leg bands 110 290a Wing bands 110 291 Egg graders 130
DIVISION 1: DEEF & SHALLOW WELL SYSTEMS	249 Attachments consol'dated into a single Item 812	292 Egg candlers
213 Deep well, reciprocal 66 214 Deep or shallow well, jet type 81 215 Shallow well, 250-499 gals, per hour 74	GROUP 17: BARN AND BARNYARD EQUIPMENT	292b Roof saddles 115 292c Draft equalizers 115
215 Shallow well, 250-499 gals, per hour	DIVISION 1: FEED CARRIERS, LITTER CARRIERS AND FEED TRUCKS	292d Chimney caps
DIVISION 2: POWER PUMPS	250 Feed carriers	292h Fowl catchers 50 292i Miscellaneous farm poultry equipment 50
P. M. 100 lbs. pressure	251 Litter earriers	DIVISION 9: ATTACHMENTS
DIVISION 8 WATER WELL CASING	DIVISION 2: HAY UNLOADING EQUIPMENT	293 Attachments consolidated into a single Item 313
218 Water well casing (fabricated by other than pipe mills)	254 Hay carriers	GROUP 19: MISCELLANEOUS FARM EQUIPMENT
DIVISION 4: ATTACHMENTS	256 Hay forks, harpoon and grapple	DIVISION 1: BEEKEEPERS' SUPPLIES
219 Attachments consolidated into a single Item 318	STANCHIONS	294 Beckeepers' supplies (except bee hives) 119
GROUP 14: FARM PUMPS AND WINDMILLS	258 Cattle stalls & fittings 60 259 Livestock pens 50 260 Cattle stanchions & fittings 72	295 Bee hives (not limited).
DIVISION 1: PUMPS, WATER 220 Pitcher Pumps	DIVISION 4 LIVESTOCK DRINKING CUPS AND WATERING	DIVISION 2: SILOS
221 Hand and windmill pumps	261 Livestock drinking cups 100 262 Outside livestock watering bowls 80	296 Silos (total wt. of iron & steel) 80
222 Windmill heads	262 Outside livestock watering bowls	DIVISION 8: HORSE SHOES—INCL. MULE & OXEN SHOES
223 Windmill towers 100f	263 Barnyard stock tanks	297 Horse shoes (including mule and oxen shoes). 107
DIVISION 3: PUMP JACKS 224 Pump jacks 100	265 Livestock dipping tanks	DIVISION 4: HARNESS HARDWARE
DIVISION 4: ATTACHMENTS	DIVISION F: FEEDERS, FEED COOKERS AND TANK HEATERS	298 Harness hardware 100
226 Attachments onsolidated into a single Item 313	265a Livestock feeders (fron and steel)	DIVISION 1: POWER SHEEP-SHEARING MACHINES
GROUP 15; IRRIGATION EQUIPMENT	267 Tank heaters 100 DIVISION T BARN DOOR TRACK & HANGER S	299 Power sheep-shearing machines 100 200a Power cattle and horse clippers 71
DIVISION 1: IRRIGATION PUMPS	(REMOVED FROM THIS ORDER)	DIVISION 6: ELECTRIC FENCE CONTROLLERS
227 Turbine pumps 107 228 Combined with item 227. 229 Centrifugal pumps (excluding self-priming	DIVISION 8: OTHER BARN & BARNYARD EQUIPMENT	300 Electric fence controllers 100 301 Electric fence accessories 120
230 Hydraulie rams 96 100	270 Hog waterers 105 270a Hog oilers 65 271 Hog rings 110	DIVISION 8: FARM WOOD-SAWING MACHINES
DIVISION 2: DISTRIBUTION EQUIPMENT	271a Hog ringers	309 Farm wood-sawing machines, incl. self-pow-
231 Land levelers 66 231a Blade ditchers and terracers 66	272f Anti-cow kickers	ered cross-cut and drag 5 H. P. and less, 93
231b One disc terracers 66 231c Corrugators 66 231d Scrapers 66	272 Bull staffs 100 272 Bull rings 100 272k Mise, barn and barnyard equipment 50	DIVISION 9: FARM GATES
231d Scrapers	DIVISION 9: ATTACHMENT:	310 Farm gates
Self-Powered Machines	273 Attachments consolidated into a single	311 Farm electric plants (wind-driven) electric
282 Portable Pipe and Extensions, Sprinklers (Excluding Lawn Sprinklers), Valves and Gates, Expressed in Terms of Net Shipping	Item 313 GROUP 18: FARM POULTRY EQUIPMEN	generating plants only—does not include batteries or towers85
Gates, Expressed in Terms of Net Shipping Weight in lbs	DIVISION 1: INCURATORS	311a Towers for wind-driven electric generating plants (engine driven farm lighting plants and batteries transferred to automotive di-
DIVISION 3: OTHER FARM IBRIGATION EQUIPMENT		vision) 85
(List Each Item Separately) 283, 234 and 235—Mise 60	274 Incubators, 1,000-egg capacity and smaller. 60 275 Incubators, over 1,000-egg capacity 90	DIVISION 11: ATTACHMENTS
DIVISION 4: ATTACHMENTS	DIVISION 2: FLOOR BROODERS	312 Attachments consolidated into a single Item 318
286 Attachments consolidated into r single Item 813 GROUP 16: DAIRY FARM MACHINES & EQUIPMENT	276 Oil (over 100 chick capacity)	GROUP 20: ATTACHMENTS
DIVISION 1: MILKING MACHINES	278 Gas (over 100 chick capacity) 115 279 Wood (over 100 chick capacity 115 280 Electric (over 100 chick capacity) 115	313 Attachments for all items in Groups 1-19; no
287 Milking machines (complete outfits) 82	280a All types 100 chick capacity and smaller 115	quota limit. See paragraph (d) (3) of L-267.
DIVISION 2: FARM CREAM SEPARATORS	DIVISION 3: BATTERY BROODERS (HEATED)	Issued this 31st day of August 1944.
238 Capacity 250 lbs. per hour or less	281 Three deck and smaller (heated) 30 282 Four deck (heated) 70 283 Five deck (heated) 85	WAR PRODUCTION BOARD, By J. JOSEPH WHELAN,
240 Capacity 801 lbs. to 1500 lbs. per hour 38	283 Five deck (heated) 80 DIVISION 4: GROWING AND LAYING BATTERIES	Recording Secretary.
	284 Growing	[F. R. Doc. 44-13306; Filed, August 31, 1944; 12:04 p. m.]
241 Immersion type	285 Laying 0]	

PART 3292-AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-e, Direction 1]

INFORMATION REQUIREMENT CONCERNING END-USE OF COMPONENTS

The following direction is issued pursuant to Limitation Order L-1-e:

Limitation Order L-1-e enumerates in Schedule A certain automotive components. Of these components, axles, transmissions and wheels, are now being scheduled pursuant to that order and other components may be scheduled later on. These com-ponents go into motor trucks and a great ponents go into motor trucks and a great variety of other products being produced under other programs. In preparing component schedules under Order L-1-e, the War Production Board finds it essential to determine the relative urgency of the use to be made of the components, whether in trucks, trailers, construction machinery, farm equipment or otherwise. In many in-stances the manufacturer of the component does not have information in sufficient detail to inform the War Production Board as to the end-use of the component, since this information is frequently known only to the purchaser of the component and in some cases only to the customer of that purchaser. Unless purchase orders for automotive components already placed, as well as future or-ders, are properly identified, the War Production Board may be compelled to postpone delivery by the component manufacturer or to remove the orders entirely from his shipping schedule.

Consequently, in order that each manufacturer of the automotive components scheduled under Order L-1-e may be in a position to furnish the War Production Board with the required information, all purchasers of any such components are directed to furnish immediately to the manufacturer of the component the following information in respect to the items which he has ordered:

1. The specific use the purchaser will make of the component: for example-truck, landing craft, farm tractors, truck replacements, etc.

The program or project for which the component is required: for example—farm machinery, advanced naval base, heavy truck, truck replacement, etc.

3. The Government Contract Number (if any) identifying the prime contract placed by the claimant agency for such program or project: for example-W-04-353-Eng-339 (this indicates Army Engineer Corps-Contract No. 399); NOBs-1161 (this indicates Navy-Bureau of Ships-Contract No. 1161).

4. The claimant agency sponsoring the program or project: for example—the Army, Navy, War Food Administration, Office of Defense Transportation, etc.

The foregoing information must also be furnished to manufacturers of components by purchasers of components in respect to all future orders for any components scheduled under Order L-1-e, at the time the orders are given the manufacturer.

In supplying the information to the manufacturer, the purchaser should furnish a separate statement for purchase orders involving different programs or covered by more than one Government Contract Num-

If the purchaser of the component does not have any part of the foregoing information, he may get it from his customer and the customer likewise, if he does not have the information, may get it from his cus-

This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13307; Filed, August 31, 1944; 12:05 p. m.]

Subchapter C-Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727,

PART 4500-POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U-1 as Amended Aug. 31, 19441

UTILITIES

DEFINITIONS

(a) Definitions.

PART II-HOW TO OBTAIN MATERIAL

(b) Preference ratings.

CMP allotment number.

(d) Certification.

RESTRICTIONS ON ORDERING MATERIAL

(e) Scheduling deliveries.

Exceptions to paragraph (e).

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RESTRICTIONS ON USE OF MATERIAL

(h) Restrictions on use of material for maintenance and repair.

(i) Restrictions on use of material for minor plant additions.

(1) Restrictions on use of material for major plant additions.

SELLING MATERIAL

(k) Sales of material.

(1) Refusal to sell to other producers.

INVENTORY REDISTRIBUTION

(m) Clearing orders through Regional Utility Engineers.

GENERAL PROVISIONS

(n) Appeals. (o) Records.

(p) Communications to War Production Board.

(q) Violations.

(r) Applicability of WPB regulations. (s) Special delivery quota and inventory directions.

SCHEDULES

Schedule A, Material Classes.

Schedule B, Delivery Quotas. Schedule C, Limita on Practical Working

Minimum Inventory.
Schedule D, Items To Be Cleared Through Regional Utility Engineers.

§ 4500.1 Utilities Order U-1—(a) Definitions. (1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, supplying, or having facilities built for supplying, directly or indirectly for general use by the public, one or more of the following services:

(i) Electric power,

(ii) Gas, natural or manufactured, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines, (iii) Water, other than exclusively for

irrigation purposes,

(iv) Central steam heating, or

(v) Any of the foregoing services but not for general use by the public, if a specific direction from the War Production Board entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington 25, D. C., Ref.: U-1.
(2) "Material" means any commodity,

equipment, accessory, part, assembly or

product of any kind.

(3) "Controlled materials" means controlled materials as defined in Schedule I of CMP Regulation 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition. It does not include any plant addition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service. does not include any plant addition.

(6) "Plant addition" means the construction or installation of new facilities or the replacement of existing facilities with facilities of greater capacity.

(7) "Minor plant addition" means a plant addition having a net material cost of not more than \$10,000. No job or project may be subdivided to come within this limit.

(8) "Major plant addition" means a plant addition having a net material cost

of more than \$10,000.

(9) "Net material cost" means the cost of material incorporated in plant less the cost of material removed from plant, priced in accordance with the producer's regular accounting practice.

(10) "Operating supplies" means material, other than fuel, which is used or consumed in the course of a producer's operations, except in maintenance, re-

pair, and plant additions.

(11) "Inventory" means all material in the producer's possession, without regard to its accounting classification, excluding, however, (i) material incorporated in plant, (ii) appliances and merchandising supplies, (iii) fuel, (iv) water purification and treatment material except equipment, (v) gas chemical material, (vi) material segregated for use in approved major plant additions, and (vii) scrap.

(12) "Class" means any one of those categories of material established as a basis for classification of inventory in

Schedule A of this order.

How To Obtain Material

(b) Preference ratings. (1) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in every class except (i) the transmission and distribution class and (ii) the meter class, for use in maintenance and repair, as operating supplies, and for minor plant additions.

(2) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in (i) the transmission and distribution class and (ii) the meter class, for use in the repair of an actual or imminent breakdown.

- (3) A preference rating of AA-3 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in (i) the transmission and distribution class and (ii) the meter class, for use in maintenance and repair, as operating supplies, and for minor plant additions, except where an AA-1 rating is assigned in paragraph (b) (2) above.
- (4) Material obtained with the AA-1 rating may be used for purposes which are assigned lower ratings, but it may be replaced in inventory only by applying the lower rating to an equivalent dollar value of material in the same class. Material obtained with the AA-3 rating may be used for purposes which are assigned the AA-1 rating and may be replaced in inventory with either the AA-1 rating or an authorized AA-3 rating. The provisions of this paragraph (b) (4) supersede those of \$ 944.11, paragraph (a), of Priorities Regulation 1.

(5) Preference ratings for major plant additions may be obtained by filing an application on Form WPB-2774.

(c) CMP allotment number. (1) The abbreviated CMP allotment number U-9 is hereby assigned to orders to be placed by a producer for controlled materials for use in maintenance and repair, as operating supplies and for minor plant additions. Allotments of material for major plant additions may be obtained by filing an application on Form WPB-2774.

(2) An order for controlled materials for use in maintenance and repair, as operating supplies, and for minor plant additions bearing the abbreviated CMP allotment number U-9 and the certification required by paragraph (d) of this order shall be deemed an authorized controlled materials order. This abbreviated CMP allotment number shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(d) Certification. The ratings assigned by subparagraphs (b) (1), (2) and (3) of this order and the abbreviated CMP allotment number U-9 may be applied by a producer only by the use of a certification in substantially the following form unless an order of the War Production Board affecting a particular item of material requires some other form of certification:

Preference Rating _____, Abbreviated CMP Allotment Number U-9. The undersigned producer certifies, subject to the penalties of Section 35 (A) of the United States Criminal

Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive, for utility uses under Utilities Order U-1, the material ordered, and to use the preference ratings or allotment numbers which the undersigned has placed on this order.

The certifications set forth in Priorities Regulation 3 and CMP Regulations 1 and 5 may not be used but the standard form of certification provided in Priorities Regulation 7 is permissible if the producer adds a statement saying that material ordered is for utility uses under Utilities Order U-1.

Restrictions on Ordering Material

(e) Scheduling deliveries. Except as permitted by paragraphs (f) and (g) below, no producer shall schedule for delivery to it in any calendar quarter any material to be used for maintenance and repair, as operating supplies, or for minor plant additions, unless both of the following conditions are satisfied:

(1) [Deleted Aug. 31, 1944.]

- (2) The producer does not have reason to believe that its inventory of material in the same class is or will, by virtue of its acceptance of the delivery when made, become in excess of a practical working minimum. A practical working minimum inventory is that amount of material which a producer, exercising prudent operating judgment, considers the smallest quantity of material it can hold and render war-time service at minimum standards. It may be less than the values established in Schedule C, but it shall in no case exceed them.
- (3) No producer may place an order for any item of material, including material for major plant additions, if the required item or a practical substitute therefor is in the producer's inventory in excess of minimum requirements for that item.
- (f) Exceptions to paragraph (e)(2). (1) The restrictions of paragraph (e) (2) do not apply to a producer so long as its inventory does not exceed \$25,000 in value, except that such a producer must restrict its inventory to that amount of material which, in the exercise of prudent operating judgment, it considers the smallest quantity it can hold and render war-time service at minimum standards. Each purchase of material by such a producer, however, must be treated as the purchase of a "short item", and is subject to the provisions of paragraph (g) below. A producer engaged in furnishing more than one of the services named in paragraph (a) (1) may consider its inventory for each service separately for the purposes of this paragraph.

(2) The restrictions of paragraph (e)
(2) do not apply to material excepted from inventory by the definition in paragraph (a) (11).

(3) [Deleted Aug. 31, 1944.]

(4) [Deleted Aug. 31, 1944.]

- (5) The War Production Board may from time to time establish specific limits for permissible inventory for individual producers, modifying the provisions of Schedule C.
 - (6) [Deleted Aug. 31, 1944.]
- (7) Notwithstanding the restrictions of paragraph (e) or of paragraph (g) below a producer may schedule an item of material for delivery in a minimum procurable commercial quantity, and in the case of cast iron, carbon steel, and non-metallic pipe, may schedule for delivery a minimum carload quantity.
- (g) Short item deliveries. Even though it cannot schedule deliveries without exceeding the limits of paragraph (e) (2), a producer may schedule for delivery material which it will require for use in mainteĥance and repair, as operating supplies, and for minor plant additions during the ninety-day period following the date it expects to receive such material, so long as the producer's inventory of the required material, together with material already scheduled for delivery, will be insufficient to meet requirements during such ninety-day period.
 - (1) [Deleted Aug. 31, 1944.]
 - (2) [Deleted Aug. 31, 1944.]

Restrictions on Use of Material

- (h) Restrictions on use of material for maintenance and repair. A job which can be classed as maintenance or repair, as those terms are defined in paragraphs (a) (4) and (5), may be done without regard to the dollar value of the material required when the following standards are met:
- (1) The job must be necessary to maintain or restore service at minimum service standards or to prevent damage to facilities from serious overload, deterioration, storm, flood, climate, soil conditions, or similar contingencies.
- (2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.
- (3) No facility or part which is serviceable in its existing-installation may be replaced except to avoid an imminent breakdown.
- (i) Restrictions on use of material for minor plant additions. A job which is a plant addition, as defined in paragraph (a) (6), rather than maintenance and repair, may be done without "pecial permission from the War Production Board, if it is a "minor plant addition"; that is, if its net material cost does not exceed \$10,000. Paragraph (a) (9) explains what is meant by net material cost. However, all minor plant additions are subject to the following restrictions:
- (1) No facility or part which is serviceable in its existing installation may be replaced except to avoid an imminent breakdown.
- (2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

- (3) New facilities must be necessary for rendering service at minimum standards
- (4) No extension of a line to consumer premises may be made or connected by a producer unless it is authorized by a Supplementary U-1 order or by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.
- (5) In the case of any building construction or alteration involving a cost in excess of \$300 for materials and labor, the provisions of paragraph (e) of Schedule A to CMP Regulation 6, relating to structural design, and the restrictions on the use of certain materials contained in Appendix I, Schedule A to CMP Regulation 6 must be observed. Applications for relief from these restrictions must be filed by producers on Form WPB-2774.
- (j) Restrictions on use of material for major plant additions. No material may be used for a major plant addition unless the job has been authorized by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.

Selling Material

- (k) Sales of material. A producer may sell material which is in its inventory or which it acquired for major plant additions only in accordance with the following rules:
- (1) It may be sold without a preference rating or allotment number to any producer as defined in Order U-1, unless it is:
- (i) Printing machinery and equipment, subject to Order L-226;
- (ii) Construction machinery, subject to Orders L-192 and L-196;
- (iii) Electric generating equipment, subject to Orders L-102 and L-94; or
- (iv) Industrial power trucks, subject to Order L-112.
- (2) It may be sold without a preference rating or allotment number to any person if it is used material or equipment unless it is one of the items in paragraph (k) (1) above, or:
 - (i) Controlled materials; or
 - (ii) Scrap.
- (3) It may be sold pursuant to a specific written authorization from the War Production Board to the seller or to the purchaser.
- (4) It may be sold without a preference rating or allotment number to a person who produces, or to the person from whom the producer purchased, the material in its present form.

- (5) It may be sold without a preference rating or allotment number to a scrap dealer as scrap unless it is rubber tires or automotive parts.
- (6) It may be sold without a preference rating or allotment number to the Army, Navy, Maritime Commission, or a public housing authority for the repair of an actual or threatened breakdown of their electric, gas, water or central steam heating facilities.
- (7) Producers may sell material pursuant to this paragraph (k). However, if a producer chooses to do so he may sell pursuant to the provisions of Pri. Reg. 13.
- (1) Refusal to sell to other producers. Any producer may, by specific direction from the War Production Board, be prohibited from applying or extending preference ratings assigned by this order or by any other certificate or order, upon a determination by the War Production Board, that such producer has wilfully refused to sell (after receiving a bona fide offer to purchase at not less than maximum prices established by regulations of the Office of Price Administration, made by any financially responsible producer who is authorized-under applicable regulations-to accept delivery of the material specified in such offer) material in inventory when such material is required by another producer for the repair of an actual breakdown of facilities or equipment.
 - (1) [Deleted Aug. 31, 1944.]
 - (2) [Deleted Aug. 31, 1944.]

Inventory Redistribution

(m) [Deleted Aug. 31, 1944.]

General Provisions

- (n) Appeals. Relief from any of the restrictions of this order may be requested by filing a letter with the War Production Board, Office of War Utilities, Washington 25, D. C., Ref.: U-1, stating the reasons why relief is necessary. If the relief requested involves a request to make a plant addition, the request should be filed on Form WPB-2774.
- (o) Records. In addition to the records required to be kept under Priorities Regulation 1, each producer who applies the preference ratings or allotment number hereby assigned shall maintain a continuing record of inventory and of segregated material in his possession.
- (p) Communications to War Production Board. All reports required to be flied hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-1.
- (q) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining

- further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.
- (r) Applicability of WPB regulations. This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time, unless there is a conflict between this order and such regulations, in which case this order shall govern, if it specifically so provides. No producer is, however, subject to the restrictions of CMP Regulation 5 nor may any producer in any way use the preference ratings therein assigned.
- (s) Special delivery quota and inventory directions. Nothing in this order is intended to supersede any special inventory base established by a specific direction from the War Production Board to a named producer. All such directions shall remain in effect unless modified by a further specific direction to the producer affected. Special quotas for scheduled deliveries heretofore established by a specific direction from the War Production Board to a named producer are revoked.
- (t) Special provisions relating to Form WPB-2774 approvals issued prior to this amendment. With respect to WPB-2774 authorizations issued prior to the date of this amendment and involving between \$1,500 and \$10,000 net material cost, producers may:
- (1) Use the preference ratings and allotment numbers assigned in paragraphs (b) and (c) of this order in lieu of those specifically assigned on such a Form WPB-2774 authorization.
- (2) Treat as segregated under paragraph (a) (11) any material to be used pursuant to such a WPB-2774 authorization.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE A

MATERIAL CLASSES

Material in the inventory of any producer which has an inventory, as defined in paragraph (a) (11), in excess of \$10,000 shall be tarried on the producer's own records and reported to the War Production Board as may be required, classified as follows:

WATER PRODUCERS

Class 1—Material for sources of supply, water treatment plants, reservoirs, elevated and pressure tanks, pumping and booster stations, including related pipe, valves, valve parts, and fittings.

Class 2-Meters.

Class 3—Transmission and distribution material (excluding meters), such as cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe fittings, valves and valve parts, hydrants, parts for meters and hydrants, and other transmission and distribution material and supplies

except pipe, valves, valve parts, and fittings included in Class 1 above.

Class 4-Other material and supplies.

GAS PRODUCERS

Class 1-Production and pumping station material.

Class 2-Meters and house regulators. Class 3—Transmission and distribution material (excluding meters and house reg-ulators), such as cast iron, steel and wrought iron pipe, copper and brass pipe and tubing, pipe fittings, valves, and valve parts, governors and regulators, parts for meters, regu-

lators, and governors, other transmission and distribution material and supplies. Class 4-Other material and supplies.

ELECTRIC POWER PRODUCERS

Class 1—Generating station material.

Class 2-Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.

Class 3—Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper shapes

Class 4—Wood poles and cross arms. Class 5—Meters.

Class 6-Transmission and distribution material (excluding Classes 2, 3, 4 and 5 above), such as iron and steel poles, towers and parts, line hardware, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.).

Class 7-Other material and supplies.

CENTRAL STEAM HEATING PRODUCERS

Class 1-Production plant material. Class 2-Transmission and distribution material.

Class 3-Other material and supplies. [Schedule B deleted Aug. 31, 1944.]

SCHEDULE C

LIMITS ON PRACTICAL WORKING MINIMUM IN-VENTORY

For purposes of paragraph (e) (2) a practical working minimum inventory (except for producers having a total inventory of \$10,000 or less, who are exempted by paragraph (f)) may in no case exceed the following dollar values:

WATER PRODUCERS 2

Class 1-The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.

¹These definitions are reprinted here for convenience in reference; please note that they differ from definitions used in the cur-

"Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

"Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, dam-age, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

"Operating supplies" means (1) material which is essential to the operation of any

Class 3-Sixty per cent of the dollar value of material in this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Class 4-Two-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.1

GAS PRODUCERS 1

Class 1-The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Classes 2 and 3-Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.

Class 4-Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.1

ELECTRIC POWER PRODUCERS

Class 1-The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2-The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's

inventory was taken.

Classes 3 and 4—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating sup-plies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.

Class 5-Fifty meters at each operating headquarters plus one and three-quarters percent of the meters installed in plant on the first day of the preceding calendar quarter.

Class 6-Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.1

Class 7-Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.1

CENTRAL STEAM HEATING PRODUCERS 2

Class 1-The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's

of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts, and (2) material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion, shall not include any work order, job, or project in which the cost of material shall exceed \$1500 in the case of underground construction and \$500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

² See Schedule A for complete identification

inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2-Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.

Class 3 .- Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.1

[Schedule D deleted Aug. 31, 1944.]

[F. R. Doc. 44-13240; Filed, August 31, 1944; 10:31 a. m.]

PART 4500-POWER, WATER, GAS AND CENTRAL STEAM HEAT

[Utilities Order U-1, Direction 2, as Amended Aug. 31, 1944]

The following direction is issued pursuant to Utilities Order U-1.

- (a) What this direction does. This direction makes applicable the simplified pro-cedures provided for in the June 1944 revision of application form WPB-2774, to authorizations issued to producers on form WPB-2774 before the revised application form came into use.
- (b) Provisions applicable to certain WPB-2774 authorizations. Except as noted in paragraph (d) below, the following special provisions are hereby made applicable to all WPB-2774 authorizations issued to electric, water, gas, or central steam heat producers and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:
- (1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774, except that transformers, poles, crossarms and meters must not be used in quantities which exceed those specifically approved on the application. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction, installation or purchase authorized.
- (2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1) above, except for purchase

(i) Carbon steel for jobs for which more than 100 tons of carbon steel have been allotted for all quarters;

(ii) Copper wire and cable for jobs for which more than 10,000 pounds of copper wire and cable have been allotted for all quarters; and

(iii) Aluminum wire and cable for jobs for which more than 5,000 pounds of aluminum wire and cable have been allotted for all quarters.

Where specific allotments of these three materials have been made in quantities which exceed the quantities indicated, these specific allotments remain in force, subject to the provisions of CMP Regulation C and the au-

thorization under which the allotment was made.

(3) Producers are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments other than those which remain in force under paragraph (b) (2) above.

(4) The preference rating AA-3 is hereby assigned for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above; except that the rating must not be used to purchase transformers, poles, crossarms and meters in quantities which exceed those specifically rated for purchase on the application.

(5) The abbreviated allotment number and preference rating assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum, or to the extent that the applicant is permitted to replace the item used in accordance with the "short item" procedure of Utilities Order

U-1 (6) The abbreviated allotment number and preference rating assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction, installation or

purchase authorized.

(7) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U-2 for identification purposes.
(c) [Deleted Aug. 31, 1944]

(d) Cases to which paragraph (b) does not apply. The provisions of paragraph (b) above do not apply to authorizations which were revoked or on which all authorized work was completed prior to the effective date of this direction. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB-2774 application.

(e) Section headings on WPB-2774. Ref.

erences herein to "section III" and "section V" of form WPB 2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB-2774

prior to that of February 21, 1944.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13241; Filed, August 31, 1944; 10:33 a. m.]

PART 4500-POWER, WATER, GAS, AND CEN-TRAL STEAM HEAT

[Supplementary Utilities Order U-1-a, as Amended Aug. 31, 1944]

CERTAIN GOVERNMENT AGENCIES

§ 4500.2 Supplementary Utilities Order U-1-a-(a) Permission to build certain extensions. In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve facilities of the Army, Navy, Maritime Commission, War Shipping Administration, or Civil Aeronautics Authority, upon the direct order of such agencies when all of the following conditions are satisfied:

(1) The total cost of material for each extension, exclusive of any part built by or for the consumer, does not exceed \$10,000. No job or project may be subdivided to come within these limits.

(2) [Revoked Aug. 31, 1944](3) The extension does not duplicate an adequate service of the same type already installed or constitute a stand-by service.

(b) Other orders. This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13242; Filed, August 31, 1944; 10:33 a. m.]

PART 4500-POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-c as Amended Aug. 31, 1944]

§ 4500.4 Supplementary Utilities Order U-1-c—(a) Permission to build certain extensions. In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric facilities may be made or connected by producers to permit the operation of farm production equipment when all of the following conditions are satisfied:

(1) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA-5 or better has been assigned to deliveries of such equipment to him:

(i) Water pump for livestock.

(ii) Milking machine. (iii) Milk cooler.

(iv) Incubator.

(v) Brooder.

(yi) Feed grinder.

(vii) Milk sterilizer.

(2) There is no other means of operating such equipment on the premises.

(3) The length of such extension, including any part built by or for the consumer, will not exceed 100 feet per animal unit, determined in accordance with Schedule I annexed hereto.

(4) The prospective consumer will use electric service to operate equipment for farm production and has livestock on hand aggregating not less than five animal units, determined in accordance with Schedule I of this order.

(5) Primary and secondary lines and service drops will be constructed of the following types and sizes of conductor:

(i) Any type or size having conductivity equal to or less than that of No. 4 AWG copper, or

(ii) Any type or size of conductor which can be obtained from the excess inventory of any producer.

(6) The prospective consumer's application for service is accompanied by a certification from his County Agricultural Conservation Committee in substantially the following form:

(To the Utility Addressed):

Mr. _____, who has livestock on hand aggregating not less than five animal units is eligible for an electric connection of ____ feet under the terms of Supplementary Utilities Order U-1-c. In the opinion of this County Agricultural Conservation Committee this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-c.

> (For County Agricultural Conservation Committee)

(7) The length of any continuous extension built in any calendar quarter, including any part built by or for the consumer, does not exceed 5,000 feet.

(8) The extension does not duplicate an adequate service already installed or

constitute a standby service.

- (9) Distribution transformers are so located that the maximum number of consumers will be served from each transformer; and no transformer is installed to serve a consumer if the service can be rendered by an extension of secondary of 750 feet or less except where such an extension would result in unworkably low voltage at the consumer's premises. Transformers relocated in compliance with this paragraph may be replaced with transformers of a larger size if necessary to avoid overload.
- (b) Exception for certain extensions. Extensions which would have been permitted by Supplementary Utilities Order U-1-c prior to the amendment of April 6, 1944, may be made or connected if both of the following conditions are satisfied:
- (1) The prospective consumers' request for a certification by the County Agricultural Conservation Committee was filed with such committee on or before April 20, 1944; and
- (2) A certification, in the form required by Supplementary Utilities Order U-1-c prior to the amendment of April 6, 1944, has been issued by the County Agricultural Conservation Committee to the prospective consumer on or before June 1, 1944.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary. SCHEDULE I-EQUIVALENT ANIMAL UNITS

Livestock on hand: 1 milk cow____ 10 beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot) ___ One unit. 20 cattle (in feed lot) _____ One unit. 30 breeding ewes_____ One unit.
160 lambs (in feed lot)____ One unit. 3 brood sows _____ One unit. 30 feeder pigs_____ One unit. One unit. 40 turkeys or geese (in laying One unit. flock) 125 turkeys or geese (not in laying flock) One unit. -- One unit. 30 goats (other than milk goats) _ One unit. 160 kids_____ One unit.

[F. R. Doc. 44-13243; Filed, August 31, 1944; 10:33 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-d, as Amended Aug. 31, 1944]

§ 4500.5 Supplementary Utilities Order U-1-d is amended to read as follows:

(a) Definitions. For the purpose of

this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purpose.

(2) "Industrial corsumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) Permission to build certain extensions. In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve premises which are being built or remodeled under authority of a specific direction, order, certificate or other authorization for construction or remodeling issued by the War Production Board (but not to serve farm buildings except farm dwellings), when the conditions of the applicable subparagraph (1), (2), or (3) below, in addition to the conditions of subparagraph. (4) below, are satisfied.

subparagraph (4) below, are satisfied.
(1) Domestic consumers. The extension, including any part built by or for the consumer, must be built within the limits established by the Housing Utilities Standards issued by the War Pro-

duction Board.

(2) Industrial consumers. The extension must be designed to use the smallest sizes and quantities of equipment, conductor and pipe required to furnish service at minimum standards.

(3) Commercial consumers. The length of the extension including any part built by or for the consumer does not exceed 1,000 feet.

(4) All consumers. (i) The cost of material for any continuous extension built in any calendar quarter, excluding the cost of material for any part built

by or for the consumer, does not exceed \$10,000.

(ii) The extension does not duplicate an adequate service of the same type already installed or constitute a standby service.

(iii) The producer has completed Form WPB-3348 for filing with the build-

er's application under L-41.

(c) Other orders. This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13244; Filed, August 31, 1944; 10:30 a. m.]

PART 4500—Power, Water, Gas, and Central Steam Heat

[Supplementary Utilities Order U-1-e, Revocation]

Section 4500.6 Supplementary Utilities Order U-1-e is hereby revoked. Extensions of service to victory gardens may be made under the provisions of Supplementary Utilities Order U-1-f as amended. This revocation does not affect any liabilities incurred under this order.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13245; Filed, August 31, 1944; 10:30 a. m.]

PART 4500—Power, Water, Gas, and Cen-TRAL STEAM HEAT

[Supplementary Utilities Order U-1-f, as Amended Aug. 31, 1944]

§ 4500.7 Supplementary Utilities Order U-1-f—(a) Definitions. For the purposes of this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purposes.

(2) "Industrial consumer" means a

(2) "Industrial consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) Permission to build certain extensions. In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers when all of the following conditions are satisfied:

(1) If construction or remodeling by the consumer is involved, no specific direction, order, certificate or other authorization for construction has been issued by the War Production Board to authorize such construction or remodeling. If such authorization has been issued, the construction of utility facilities, except to farm buildings other than farm dwellings, is governed by Supplementary Utilities Order U-1-d.

(2) Extensions, including any part built by or for the consumer, can be built within the limits of the Utilities Construction Standards, shown in Schedule I of this order. In the case of extensions of natural gas facilities to serve lessors of property on which producing natural gas wells have been completed, the portion built by or for the consumer need not be included.

(3) The cost of material for any continuous extension built in any calendar quarter, excluding the cost of material for any part built by or for the consumer,

does not exceed \$10,000.

(4) The extension does not duplicate an adequate service of the same type already installed or constitute a stand-by service.

NOTE: Former subparagraph (4) deleted; former subparagraph (5) redesignated (4) Aug. 31, 1944.

(c) Other orders. This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

(d) Effect of amendment of this order on construction started. Construction of extensions permitted by Supplementary Utilities Order U-1-f prior to this amendment may be completed if construction other than right of way clearing has started prior to the date of this amendment.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE I—UTILITIES CONSTRUCTION STANDARDS

The material used in extensions permitted by Supplementary Utilities Order U-1-f must conform to the limitations set out in this Schedule I and must not exceed, in dollar value, the limits of paragraph (b) (3):

A. PERMITTED TYPES OF CONDUCTOR AND PIPE

I. Domestic extensions. a. Electric conductor for primary, secondary, and service drop:

(1) Any type or size of conductor having conductivity equal to or less than that of No. 6 AWG copper, or

(2) Any type or size of conductor which can be obtained from the excess inventory of any producer.

b. Pipe. Any type of pipe.

II. Commercial and industrial extensions. No limitation, except as shown below in B. II.

B. PERMITTED QUANTITIES OF CONDUCTOR TRANSFORMERS AND PIPE

I. Domestic extensions. a. For electric service, (1) In cases where the consumer has in his possession an electric range, refrigerator, or washing machine, one transformer and not more than 1,000 feet of extension per consumer including primary, secondary, and service drop; (2) in other cases than described in (1) above, not more than 1,000 feet of extension per customer including primary, secondary and service drop, but no transformer except to replace transformers in service.

b. For water, gas or central steam heating service, not more than 1,000 linear feet of main and service pipe for each consumer. However, if copper or copper base alloy pipe or tubing is installed by a producer, such pipe or tubing must be obtained from the inventory of a producer and may not be replaced.

c. [Deleted Aug. 31, 1944]

II. Commercial and industrial extensions. a. In the case of facilities to serve an industrial or commercial consumer who is (1) engaged, as his principal activity, in the manufacture of a product or in the conduct of a business or activity listed in Schedules I or II of CMP Regulation 5, as amended; or (2) an electric, water, gas, steam heat, telephone or telegraph utility; or (3) engaged in the petroleum industry, except in retail marketing, as those terms are defined in Preference Rating Order P-98-b; or (4) engaged in the business of mining, or of burning refractories, and has been assigned a serial number under Preference Rating Order P-56; or (5) engaged in the business of radio communication or radio broadcasting; or (6) a hospital, the smallest sizes and quantities of equipment, conductor and pipe required to furnish service at minimum standards.

b. In the case of facilities to serve an industrial or commercial consumer who is not engaged in a business or activity listed above, not more than 1,000 feet of extension per consumer. For electric extensions this length shall include primary, secondary and service drop and no new transformer installations may be made except to replace transformers installed and in service.

C. PERMITTED QUANTITIES OF NON-METALLIC PIPE Note: Deleted April 6, 1944.

[F. R. Doc. 44-13246; Filed, August 31, 1944; 10:30 a. m.]

PART 4500-POWER, WATER, GAS, AND CENTRAL STEAM HEAT

|Supplementary Utilities Order U-1-g, as Amended Aug. 31, 1944]

§ 4500.8 Supplementary Utilities Order U-1-g. In accordance with the provisions of paragraph (i) of Utilities Order U-1. temporary extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve temporary business, civic or recreational facilities when all of the following conditions are satisfied:

(a) The cost of material for such utility extensions is less than \$1,500,

(b) Such extensions will be dismantled at the expiration of ninety days from date of installation and all material salvaged and returned to inventory,

(c) The extension does not duplicate an adequate service of the same type already installed, or constitute a standby service.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13247; Filed, August 31, 1944; 10:34 a. m.]

PART 4500-POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-h, Revocation]

Section 4500.9 Supplementary Utilities Order U-1-h is hereby revoked and is superseded by Supplementary Utilities Order U-1-d as amended simultaneously with this revocation. This revocation does not affect any liabilities incurred under the order.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13248; Filed, August 31, 1944; 10:31 a. m.]

PART 4500-POWER, WATER, GAS, AND CEN-TRAL STEAM HEAT

[Supplementary Utilities Order U-1-i]

§ 4500.10 Supplementary Utilities Order U-1-i. In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric facilities may be made or connected by producers to permit the operation of irrigation water pumps when all of the following conditions are satisfied:

(a) The prospective consumer possesses an electrically driven irrigation water pump not smaller than 25 g. p. m., or can obtain one without priorities as-

(b) There is no other means of operating such a pump on the premises.

(c) The total cost of material for the extension, exclusive of any part built by or for the consumer, does not exceed \$1500. No job or project may be subdivided to come within these limits.

(d) The installation does not duplicate an adequate service of the same type already installed, or constitute a standby

(e) The extension is necessary to provide irrigation for not less than 5 acres of land.

(f) The prospective consumer's application for service is accompanied by a certification from his County Agricultural Conservation Committee in substantially the following form:

(To the Utility Addressed):

Mr. _____ is eligible under Supplementary Utilities Order U-1-i for an electric connection to provide service for an electrically driven irrigation water pump not smaller than 25 g. p. m. In the opinion of this County Agricultural Conservation Com-mittee, this connection will result in the irrigation of not less than five acres of land and a substantial increase in farm production, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-i.

> (For County Agricultural Conservation Committee)

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13249; Filed, August 31, 1944; 10:33 a. m.]

Chapter XI-Office of Price Administration

PART 1305-ADMINISTRATION [Gen. RO 12,1 Amdt. 5]

WAR RATION BOOK NO. 3

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order No. 12 is amend-

ed in the following respect:
1. Section 8 (e) is amended to read as follows:

(e) Any member of the armed forces of the United States or of the United Nations, who has been issued a War Ration Book No. 3 in accordance with the provisions of section 6a and who is subsequently discharged from the armed forces, may apply at his local War Price and Rationing Board for a War Ration Book No. 3 containing "aeroplane" stamps. Such person, after surrendering his War Ration Book No. 3 to the Board, must fill out OPA Form No. R-129 and submit it to the Board together with his discharge papers (or other evidence of his discharge from the armed forces). The Board shall return the discharge papers (or other evidence) to the applicant. The Board, in accordance with the provisions of section 5, shall issue a new War Ration Book No. 3 in exchange for the one which was originally issued to the applicant. Before issuing the new War Ration Book No. 3, the Board shall remove all expired stamps and all valid stamps except the last stamp (or series of stamps) which became valid and shall write "Exchange Book" in ink or indelible pencil on the front cover of the book.

This amendment shall become effective September 4, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 FR. 2719; E.O. 9280, 7 FR. 10179; E.O. 9335, 8 FR. 5423; WPB Dir. 1, 7 FR. 562; Sec. of Agr. War Food Order No. 56, 8 FR. 2005, 9 FR. 4319; War Food Order No. 56, 8 FR. 2005, 9 FR. 3254 War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 31st day of August 1944.

JAMES F. BROWNLEE, Acting Administrator.

[F. R. Doc. 44-13290; Filed, August 31, 1944; 11:57 a. m.]

PART 1334-SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 16,2 Amdt. 7]

RAW CANE SUGARS

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

18 F.R. 7453, 11514, 17183; 9 F.R. 6504.

26 F.R. 4063, 4371, 4843, 5469; 7 F.R. 123, 544, 1239, 2133, 2132, 8948; 8 F.R. 6842, 16991; 9 F.R. 95, 2406, 4880.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 16 is amended

in the following respects:

1. The introductory text of § 1334.9 (a) is hereby revoked.

2. Section 1334.9 (a) (1) is amended to read as follows:

(1) (i) The maximum price per pound for raw cane sugars from off-shore producing areas of 96 degrees polarization, duty paid, cost, insurance and freight, shall be 3.75 cents, for delivery at points at which deliveries have customarily been made by Commodity Credit Corporation for a particular refinery, or, if such deliveries have not customarily been made by Commodity Credit Corporation, then at receiving scales located at the refinery port.

(ii) If a buyer receives delivery of offshore sugars elsewhere than at such
points, the total cost to the buyer shall
not exceed the specified maximum price
applicable at the point where the buyer
has customarily received deliveries from
Commodity Credit Corporation or, if
such deliveries have not customarily been
made by the Commodity Credit Corporation, at the receiving scales located at
the refinery port plus an amount equal
to all charges that would have been incurred in moving the sugar over the customary route from such point to the
buyer's refinery.

3. Subparagraphs (3), (4) and (5) of paragraph (a), § 1334.9 are hereby revoked.

4. Subparagraph (6) of paragraph (a), § 1334.9 is redesignated (2).

5. Section 1334.9 (b) (1) is amended to read as follows:

(1) 3.75 cents per pound, f. o. b. conveyance for delivery to a refinery, less the per pound transportation charge at the published freight rate from the raw sugar mill to the refinery nearest freightwise to such raw sugar mill. The maximum delivered price to a refinery shall be the above f. o. b. price plus actual transportation cost from the selling raw sugar mill to the refinery processing such

This amendment shall become effective September 3, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13208; Filed, August 30, 1944; 8:57 p. m.]

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 60,1 Amdt. 12]

DIRECT-CONSUMPTION SUGARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

(1) The maximum basis prices for the following direct-consumption sugars per one hundred pounds f. o. b. United States seaboard cane sugar refinery nearest freightwise to the point of delivery shall be as follows:

(i) For sales of fine granulated cane sugar refined in Continental United States______\$5.

(ii) For sales of fine granulated beet sugar processed in Continental United States

(v) For sales of direct-consumption sugars other than those provided for above in this section, processed from United States mainland sugar cane including but not limited to turbinado, plantation white and high-washed sugars

2. Subparagraphs (2), (3), (4), and (5) of paragraph (a), § 1334.51 are hereby revoked.

3. Subparagraphs (6) and (7) of paragraph (a), § 1334.51 are hereby redesignated (2) and (3) respectively.

4. Redesignated § 1334.51 (a) (2) is amended by deleting therefrom the phrase, "paragraphs (a) (1), (a) (2), (a) (3), (a) (4) (i), and (a) (5)" and inserting in its stead the phrase "paragraph (a) (1)."

5. The introductory text of redesignated § 1334.51 (a) (3) (i) is amended by changing the word "subparagraphs" to "subparagraph" and the figure (7) to (3) and by deleting the phrase "(2), (3), (4) and (5)."

6. Redesignated § 1334.51 (a) (3) (ii) is amended by changing the word "paragraphs" to "paragraph" and by deleting the phrase "(a) (2), (a) (3), (a) (4) and

(a) (5), respectively."
7. Redesignated § 1334.51 (a) (3) (iii) is amended by changing the word "paragraphs" to "paragraph," and by deleting the phrase "(a) (2), (a) (3), (a) (4) and (a) (5), respectively" and by changing the figure (7) in each of the instances used to the figure (3).

8. Section 1334.51 (c) is amended to read as follows:

(c) Where the buyer is a United States Army or Navy procurement agency, sales to such agency by refineries located on the Atlantic seaboard and in the States of Louisiana and Texas shall be exempted from the provisions of paragraph (a) (3). On such sales the maximum f. o. b. basis price at seller's refinery may be collected regardless of the amount of further transportation costs paid by the buyer or the point to which the sugar may be moved.

9. Section 1334.51 (d) is added to read as follows:

(d) Notification to wholesalers and retailers of authorized change in maximum price. With the first delivery of direct-consumption sugar after the effective date of any provision in this regulation establishing a new maximum price, the primary distributor shall sup-

ply each purchaser with a written statement showing that price and for each wholesaler and retailer who purchases from him, the statement shall be as follows:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for direct-consumption sugar (describe item by variety, grade, brand, if any, container type and size) has been established by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification on or after (insert effective date of the applicable amendment). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of 60 days after the primary distributor has established his maximum price under this section, and with his first shipment after the 60-day period to each purchaser who has not made a purchase within that time, the seller shall include the notice set forth above in each ease or carton containing the item, or securely attach it to the case or carton, or insert it on or attach it to the invoice accompanying the shipment.

This amendment shall become effective September 3, 1944.

Issued this 30th day of August 1944.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 44-13210; Filed, August 30, 1944; 3:58 p. m.]

PART 1340—FUEL [MPR 510, Amdt. 3]

LUBRICATING OILS, GREASES, AND CERTAIN OTHER PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 510 is amended in the following respects:

1. Section 1 (b) is amended to read as follows:

(b) Commodities. Motor oils including aviation oils, stock oils (neutrath, bright stocks, steam refined and other stock oils), greases, industrial oils, petroleum sulfonates, petroleum coke (except when sold by resellers as fuel), industrial naphthas and solvents, mineral oil pelymers, any petroleum product sold for lubricating purposes including upper motor lubricants, and any other fraction of crude petroleum which is sold \$\mathscr{s}\$ a source of any of the foregoing commedities, unless specifically excluded in the following paragraph.

The following commodities are not included in this regulation: Insecticides; germicides; core oils and core washing oils; household oils and other specialty lubricants and compounds normally fold to consumers by sellers other than petroleum refiners, compounders, jobbers and service stations; petrolatum, paraf-

^{*}Copies may be obtained from the Office of Price Administration.

¹7 FR. 1320, 2132, 2510, 5664, 6787, 8928, 8949, 8948; 8 F.R. 5809, 6044, 6424, 9288, 10079; 9 F.R. 5802.

^{1.} Section 1334.51 (a) (1) is amended to read as follows:

fin wax, microcrystalline wax, slop wax, and any compound a major portion of which consists of any of these products; asphalt and asphalt products; crude petroleum; naphthenic acids; those petroleum products coming under Maximum Price Regulation No. 88 or any superseding regulation; and those petroleum products excepted from price control by any applicable price regulation.

- 2. Section 1 (c) is amended to read as follows:
- (c) Area. This regulation applies in the forty-eight states of the United States, the District of Columbia and the territories and possessions of the United States, except the Panama Canal Zone and the Territory of Alaska.

3. Section 10 (b) (2) (i) is amended by changing the "24-40 Pour point" to read "25-40 Pour point."

- 4. Section 14 (c) is revoked, and the reference thereto in the index of section 9 (a) is deleted and the pricing notes of Article II, 1 (c) and 2 (b), are deleted. The headnote of section 14 is amended to read as follows:
- SEC. 14. All products; minor differences and blending methods (to be used only where a maximum price connot be determined under the preceding pricing methods).
- 5. Section 15 (c) is amended to read as follows:
- (c) If a maximum price for a product was heretofore approved for a seller under the Third Pricing Method contained in § 1340.159 (b) (4) (iii) (a) of Revised Price Schedule No. 88 (changes necessitated by shortages of ingredients) such approval shall continue in full force
- 6. Section 13 (a) (1) is amended to read as follows:
- (1) A maximum price properly established in accordance with the provisions of the General Maximum Price Regulation, prior to February 25, 1943, for industrial oils and greases; prior to May 13, 1943, for petroleum sulfonates and mineral oil polymers; or prior to the date of inclusion under this regulation for any other product, may be continued as the maximum price under this regulation provided a sale was made at such price. or such price was evidenced by publication in the seller's published price list or other customary method of publication used by the seller.
- 7. Section 16 is amended to read as fol-
- SEC. 16. All products, all sellers; final pricing methods-(a) Comparable products margin. A seller, unable to arrive at a maximum price for a product under the preceding pricing methods, shall establish his maximum price on the basis of the average of the mark-ups on two comparable products. This maximum price shall be calculated by the steps set forth below and filed, prior to making a sale, with the Petroleum Branch of the Office of Price Administration at Washington, D. C., on the form indicated. Upon filing, the price shall be the seller's maximum price until changed or disapproved by the Office of Price Administration,

(1) Resellers. A reseller shall:

(i) Select two products of similar enduse on which he has established maximum prices. If he has more than two products of similar end-use he shall select the two products closest in current delivered costs to the current delivered cost of the product being priced, and in any case no product shall be selected which varies in current delivered cost more than 25% from the current delivered cost of the product being priced. When the reseller has only one product of similar end-use he shall so state and shall establish and file his maximum price on the basis of the one prod-

End-use. Two products shall be considered as having similar end-use if sold for the same general purpose; for example, products in each of the following categories may be considered as having similar end use; motor oils; pressure gun lubes; wheel bearing gear greases; hydraulic oils; rust preventives; cutting oils (except that where possible the seller must show oils sold for the same type of cutting operation) turbine oils; quenching oils; textile oils; ink oils.

(ii) Divide the maximum price for each such product by its current delivered cost.

(iii) Add the resulting figures and divide by two.

(iv) Multiply the current delivered cost of the product being priced by the figure obtained in (iii).

(v) Copy form, fill it in and forward to Petroleum Branch, Office of Price Administration, Washington, D. C.

OFFICE OF PRICE ADMINISTRATION

Report of Maximum Price

Section 16-Maximum Price Regulation No. 510

Address Product being priced; Unit of sale 1. Name 2. End-use 3. Current delivered cost *. 4. Maximum price (Line 3 multiplied by ave Comparable products on which a	rage ratio below) seller has established	maximum prices:			
(1) (1) (1) (2) (1) (2) (1) (2) (2) (2) (2) (2) (2) (2) (2) (2) (2	Name	End-use	Maximum price	Current delivered cost	Ratio column 3 divided b column 4
	(1)	(2)	(3)	- 1 (4)	(5)

4 Total Column 5

Average ratio (Total Column 5 divided by 2 if 2 products shown)

(1)

*Current delivered cost to be used by resellers. Refiners, blenders, compounders use ingredients values as defined in section 8 (e) and explained in section 46 (a) (2); that is refinery values, inventory values, ingredient costs, etc.

(2) Producers. A producer shall determine his maximum price by the procedure for resellers in (1) above but shall use the total of the current delivered costs of the ingredients in each product in place of "current delivered cost" of the product in determining margins. A refiner for an ingredient which he manufactures shall use in the place of current delivered cost of the ingredient its inventory value, works billing price, refinery value, or any other value which will serve as a basis for comparing the products.

Product No. 1.....

Product No. 2 ...

(3) Government specification products. A product manufactured to meet a particular government specification may be priced under paragraph (b) below on the basis of competitive prices for products meeting the same specification if the seller prefers not to use the comparable products method in (a) above.

(b) Sellers unable to establish a maximum price under (a) above. If a seller is unable to use the comparable products margin method set forth in (a) above, the seller shall establish his maximum price on the basis of his most comparable product, competitive products or by any method which results in a maximum price in line with the level of maximum prices otherwise established by this regulation. This maximum price shall be filed, prior to making a sale, with the Petroleum Branch of the Office of Price Administration at Washington, D. C., together with the following information:

(1) Why the "comparable margin method" set forth in (a) above is not applicable, indicating the name, established maximum price, end-use, and current delivered cost of the seller's product which is most comparable to the new product.

(2) Names and established maximum prices of two competitive products which are comparable, giving all the information which the seller is able to obtain regarding the specifications and composition of such products.

(3) Any other information which the seller can give to substantiate the maxi-

mum price he is filing.

(c) Effect of a filing. If a seller files the information required, the maximum price he sets under this section shall be his maximum price until it is disapproved in writing by the Office of Price Administration or until the seller is notified in writing that a substitute maximum price has been set by the Office of Price Administration. Either an approved maximum price or a substitute maximum price set by the Office of Price Administration may be replaced by another maximum price upon written notice to the seller. All maximum prices established under this section 16 shall be in line with the level of maximum prices otherwise established by this regulation.

(d) Failure to file a maximum price. If a seller shall fail to report a maximum price as required by this section, the Office of Price Administration may at any time upon written notice to the seller establish his maximum price for the particular product at the particular point effective retroactively to the date of the making of a sale of the product.

(e) Customary allowance, discounts, etc. All customary allowances, discounts, or other price differentials and all practices relating to the payment of transportation charges in effect with respect to the most comparable products shall apply to the product being priced.

This amendment shall become effective September 5, 1944.

Note: The reporting and record-keeping requirements of this Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 44-13288; Filed, August 31, 1944; 11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[FPR 1, Amdt. 6 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amend-

19 F.R. 9493.

ment has been issued and filed with the Division of the Federal Register.*

1. The table in section 1 (a) is amended by adding item 8 to read as follows:

Col- umn 1	Column 2	Col- umn 3	Colu	mn 4
Item No.	Product	Sec- tion	Sec- tion	Ap- pen- dix
8	Snap beans (except New Jersey and Mary- land).	5	15	D

2. In the table headed "Metal Containers" in section 12, the item "No. 2 cyl_____307 x 512" is amended to read as follows:

No. 2 cyl_____307 x 510 or 307 x 512

3. In section 15, Appendix D is added to read as follows:

APPENDIX D-SNAP BEANS

Explanation of how maximum prices for packed snap beans are figured. For packed snap beans, conversions for grade, for styles of pack, for sieve size, and for container type and size under subparagraph (2), (3), or (4) of section 5 (a) of this supplement are to be made in the same order and in the same manner as those for packed peas. The explanation at the beginning of Appendix C applies to this appendix for that purpose, except that for packed snap beans conversions are made for style of pack (whole or cut) and sieve size instead of for variety and sieve size (step 3). This conversion from one style of pack and sieve size to another (for example, from cut snap beans to whole snap beans) must be made in the same manner a conversion from one variety and sieve size of packed peas to another is made under Appendix C.

The term "ungraded," as used in connection with sieve size, means not separated by sieve size. Also, the term includes all blends of more than three sieve sizes.

Special pricing provisions applicable to packed pole beans in areas other than Area 11,

packed bush beans in Area 11, asparagus style of pack, French style of pack, and blends of sieve sizes, appear at the end of the tables.

TABLE I-AREAS

- 1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut.
- 2. New York.
- 3. Pennsylvania, Delaware, West Virginia and Virginia.
- 4. New Jersey and Maryland.*
- Kentucky, Tennessee, North Carolina, Louisiana, Mississippi, Alabama, Georgia and South Carolina.
- 6. Florida.
- Missouri, Arkansas, Oklahoma and Kansas.
- Texas (except those countles included in Area 10³).
- North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Illinois, Michigan, Indiana and Ohio.
- 10. Montana, Idaho (except these counties included in Area 11°), Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico and those counties in Western Texas listed below.¹
- Washington, Oregon, California, and those counties in Northern Idaho listed below.³

TABLE 2-BASE PERIOD PRICES

Areas 1, 2, 9, 10 and 11: Weighted average selling price for the first 60 days after the beginning of 1941 spring pack.

Areas 3, 4, 5, 6, 7 and 8: Weighed average selling price for the first 60 days after the beginning of 1941 spring and fall packs.

*Prices to be announced later.

¹The following counties in Texas are included in Area 10: Sherman, Moore, Potter, Randall, Swisher, Hall Lubbock, Lynn, Dawson, Martin, Midland, Upton, Crockett, Terrell, and all others west thereof.

² The following counties in Idaho are included in Area 11: Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater,

Nez Perce, Lewis and Idaho.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED SNAP BEANS WHO MADE SALES DURING THE BASE PERIOD (PART 1) WHOLE SNAP BEANS (BUSH BEANS IN AREAS I THROUGH 10, POLE BEANS IN AREA 11)

					No.	2 cans					No. 1	0 cans		
item No.	Area	Sieve size	Fa	ney	Ex-St	andard	Stan	idard	Far	ncy	Ex-Sta	andard	Stan	đard
440.			Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges
1 2 3 4 5 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	2 3	1 2 3 4 5 and up Ungraded. 1 2 3 4 5 and up Ungraded. 1 2 5 and up Ungraded. 1 2 5 and up Ungraded. 1 5 and up Ungraded. 1 5 and up Ungraded. 1 5 and up Ungraded.	32 32 32 32 32 35 35 35 35 35 35 35 35 35 35	\$1, 77-\$2, 03 1, 64- 1, 88 1, 45- 1, 67 1, 32- 1, 52 1, 26- 1, 46 . 26- 1, 46 . 20- 2, 36 1, 75- 2, 07 1, 58- 1, 86 1, 50- 1, 78 1, 50- 1, 78 1, 86- 2, 18 1, 71- 2, 01 1, 50- 1, 78 1, 86- 2, 18 1, 71- 2, 01 1, 50- 1, 78 1, 81- 2, 18 1, 19- 1, 15 1, 15- 1, 15 1, 20- 1, 15 1, 20- 1, 51 1, 20- 1, 51	\$0.36 .30 .30 .30 .30 .30 .30 .32 .32 .32 .32 .32 .32 .34 .34 .34	\$1, 63-\$1, 87 1, 50-1, 72 1, 31-1, 51 1, 18-1, 36 1, 13-1, 29 1, 13-1, 29 1, 13-1, 29 1, 13-1, 29 1, 14-1, 19 1, 66-2, 20 1, 61-1, 19 1, 36-1, 62 1, 36-1, 62 1, 57-1, 85 1, 36-1, 03 1, 21-1, 43 1, 15-1, 35 1, 15-1, 35	\$0.28 28 28 28 28 30 30 30 30 30 30 30 32 32 32 32 32	\$1, 54-\$1, 7(1, 41-1, 61 1, 22-1, 40 1, 09-1, 25 1, 04-1, 18 1, 04-1, 18 1, 04-2, 30 1, 77-2, 09 1, 52-1, 80 1, 35-1, 59 1, 27-1, 51 1, 27-1, 51 1, 27-1, 51 1, 27-1, 51 1, 29-1, 47 1, 14-1, 30 1, 08-1, 22 1, 08-1, 22 1	\$1.57 1.57 1.57 1.57 1.57 1.57 1.72 1.72 1.72 1.72 1.72 1.72 1.72 1.7	\$8, 67-\$9, \$5 8, 04- 9, 21 7, 10- 8, 18 6, 47- 7, 45 6, 17- 7, 15 10, 63-12, 59 9, 80-11, 56 8, 58-10, 14 7, 74- 9, 11 7, 35- 8, 72 7, 35- 8, 72 7, 35- 8, 62 9, 11-10, 63 8, 28- 9, 85 7, 25- 8, 62 6, 62- 7, 79 6, 32- 7, 40	\$1. 47 1. 47 1. 47 1. 47 1. 47 1. 57 1. 57 1. 57 1. 57 1. 57 1. 57 1. 67 1. 67 1. 67	\$7, 99-\$9, 16 7, 35-\$8, 43 6, 42-7, 40 5, 78-\$6, 66 5, 54-\$6, 32 5, 54-\$6, 32 9, 95-11, 81 9, 11-10, 78 7, 89-\$9, 36 7, 06-\$, 33 6, 66-7, 94 6, 66-7, 94 7, 94-7, 94 8, 94-7,	\$1.37 1.37 1.37 1.37 1.37 1.47 1.47 1.47 1.47 1.47 1.47 1.47 1.57 1.57 1.57	\$7. 55-\$8. 6 6, 91-7. 8 5, 98-6, 8 5, 34-6, 1 5, 10-5, 7 6, 51-11, 2 8, 67-11, 2 8, 67-12, 45-8, 8 6, 62-7, 4 6, 22-7, 4 6, 22-7, 4 6, 22-7, 4 6, 22-7, 4 6, 23-7, 2 7, 40-8, 3 6, 35-7, 2 5, 59-6, 5 9, 5, 9
20 21 22 23	4							To be ann	ounced					
24 25 26 27 28 29 30	5	3	. 32	1. 95- 2. 25 1. 79- 2. 07 1. 67- 1. 81 1. 41- 1. 63 1. 36- 1. 56 1. 36- 1. 56	.81 .31 .34 .31 .31 .31	1. 81- 2. 09 1. 66- 1. 90 1. 43+ 1. 65 1. 27- 1. 47 1. 22- 1. 40 1. 22- 1. 40	.30 .30 .30 .30 .30 .30		1.57	9, 56-11, 02 8, 77-10, 14 7, 69-8, 87 6, 91-7, 99 6, 66-7, 64 6, 66-7, 64	1, 52 1, 52 1, 52 1, 52 1, 52 1, 52 1, 52	8. 87-10, 24 8. 13- 9. 31 7. 01- 8. 08 6. 22- 7. 20 5. 98- 6. 86 5. 98- 6. 86		8. 43- 9.7 7. 64- 8.8 6. 57- 7.5 5. 78- 6.6 5. 54- 6.3

^{*}Copies may be obtained from the Office of Price Administration.

Table 3—Permitted Increases and Price Ranges fer Dozen Containers for Processors of Packed Snap Beans Who Made Sales During the Base Period—Con.

(Part 1) whole snap beans (bush beans in areas 1 through 10, pole beans in area 11)

					No. 2	cans		3,520				0 cans		
Item No.	Area	Sleve size	Fai	ncy	Ex-Sta	andard	Stan	dard	Far	ncy	Ex-St	andard	Stan	dard
			Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges
31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 55 55 56 57 58 56 57 58 61 62 63 64 65 66 65 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66 66	8 8 9 10 11	(1	\$0.32 32 32 32 32 32 29 29 29 29 29 29 29 29 29 29 29 38 32 32 32 32 32 32 32 32 32 32 32 32 32	\$2, 11- 2, 37 1, 94- 2, 18 1, 69- 1, 91 1, 52- 1, 72 1, 47- 1, 65 1, 47- 1, 65 1, 47- 1, 65 1, 47- 1, 65 1, 47- 1, 65 1, 42- 1, 64 1, 29- 1, 49 1, 24- 1, 42 1, 79- 2, 19 1, 66- 2, 02 1, 48- 1, 80 1, 34- 1, 62 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 29- 1, 57 1, 21- 1, 57 1, 31- 1, 41 1, 65- 1, 79 1, 45- 1, 57 1, 31- 1, 41 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 1, 35 1, 25- 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35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 35 1. 11- 1. 31 1. 07- 1. 15 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09 1. 01- 1. 09	\$1.57 1.57 1.57 1.57 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FEDERAL REGISTER, Friday, September 1, 1944

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS

WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SNAP BEANS

URING THE BASE PERIOD

(PART 1) WHOLE SNAP BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

3 f and up. Ungraded 5 and up. Ungraded 5 and up. 3 3 5 and up. Ungraded 2 2 5 and up. 5 and up. 5 and up. Ungraded 5 and up. Sieve size 5 and up. Ungraded 5 and up. 5 and up. 10 Area Item No.

		FEDERAL REGISTER, Friday, September 1, 1944				10	11
	Standard	然而自己也不在自己而且是是是 然而自己也不在自己而且是是 然而是是是不可以可以可以可以 然而是是是不可以 然而是因此是是 然而是是是是 然而是是是 然而是是是 然而是是 是是 是是 是是 是是 是是 是是 是是 是是 是是		he appro-	No. 10	845748 845748 888	***************************************
No. 10 cans	Extra	然而成立在各位在在在在在在在在在在在在在在在在在在在在在在在在在在在在在在在在在在在		To a can size listed at the head of a column below, multiply by the appropriate conversion factor:	No. 235	1.35	88
	Fancy	。 然也在在各名名文字字字字写在在 第四十四十四十四十四十四十四十四十四十四十四十四十四十四十四十四十四十四十四十	RS	below, m	No. 2	1.82	. 30
	Standard	88 88 2 2 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1	CONTAINERS	fa column onversion	303 N	8	.18
No. 2 cans	Extra	######################################	-METAL	the head o	No.		-
4	Fancy	またしました。 は、としてしまれることできない。 では、これでは、これでは、これでは、これでは、これでは、これでは、これでは、これ	FACTORS	ze listed at	No. 1 picnic	99.	.13
	Sieve size		5-CONVERSION	To a can si	8 oz.	90	п.
	Siev	2 and up. 5 and up. 6 and up. 7 and up. 7 and up. 7 and up. 8 and up. 8 and up. 9 and up. 10 graded. 12 and up. 13 and up. 14 and up. 15 and up. 16 and up. 17 and up. 18 and up. 18 and up. 19 and up. 10 graded. 10 graded. 11 and up. 12 and up. 13 and up. 14 and up. 15 and up. 16 and up. 17 and up. 18 and up. 18 and up. 19 and up.	TABLE 5	in this			
100	Area	11 6 8 8 6 9 11		a can size	шш		
	Item No.	_4x4v6r*05=111111111111111111111111111111111111		To convert from a can size in this	colin	8 ounces. No. 1 picnic. No. 303 No. 312	No. 10
	Standard	数几日点点点间面交汇自用的工作后点点。					
No. 10 cans	Extra	数でもなれたはよめてもならなるない。 あるてまれる間のめてもなるでもなるなどでもなるのではなる。 数別は近路路線路路路路路路路路路路路路路路路路路路路路路路路路路路路路路路路路路路	883	20.00 ×	2.22		
	Fancy	ながたんちんはははなるならなってもなら はらまてててははまててらまてもものもとてていばるみてころものはのはのがおけい印目的の対象	6.5	10.05 pp. 20.05	12.2		
	Standard	Part 1 1 1 1 1 1 1 1 1	118	8888	1133		
No. 2 cans	Extra	20100000000000000000000000000000000000	1.38	11911	34.55	F 30	
	Fancy	2017年11日12日11日11日11日11日11日11日11日11日11日11日11日1	1.51	-1-44- 88888	11.62	8	
	1						

WHOLE SNAP BEANS, ETC .- Continued

(PART 1)

TABLE 8-GRADE DIFFERENTIALS-Continued

No. 10 cans

Standard and Sub-Standard

Ex-Stand- and a standard standard

Fancy and Ex-

Standard and Sub-Standard

Ex-Stand-

Fancy F and Ex-Standard

Sieve size

Arres

222444

S. ELEET

22222

222222

\$0.15 .15 .15 .15 .15

and up.

To be 8

and up.

and up.

and up.

80

90

8

929292929299999999999999999999999999

5 and up.

and up.

and up.

10

5 and up... Ungraded.

TABLE 6-CONVERSIONS FROM TIN TO GLASS

ALL SNAP BEANS

THE WAY	Item No.	13	15. 17. 18.	28288
	o get a price for the glass container size at the head of a column below, add the indicated amount	No. 21/5	\$0.15	
letante	To get a price for the glass container size at the head of a column below, add the indicated amount	No. 303 No. 295	80.15	RSION FACTOR
otherwines magen and country	If you can figure a price for a can size in this column		No. 293 No. 295	TABLE 7.—Sieve Size Conversion Factors Table D WHOLE SNAP BEANS

To convert from a sieve size in this	To a sieve	size listed a	t the head o	To a sieve size listed at the head of a column below, multiply by the appropriate conversion factor	below, multi	ply by the
olumb	I siere	2 sieve	3 sieve	4 sleve	5 sieve and up	Ungraded
1 siève 2 siève 3 siève 4 siòve 5 siève and up. Ungraded	982824	1.00 1.11 1.11 1.13 1.13 1.13 1.13 1.13	11.00		8.1.1.88 8.1.1.000	88.11
4	(PART 2)	(PART 2) CUT SNAP BEANS	SANS			
		2 sieve	3 sleve	4 sieve	5 sieve and up	Ungraded

88288 1.98 1.14 TABLE S-GRADE DIFFERENTIALS 88228 3 sieve 2 sieve 4 sieve 5 sieve and up. Ungraded

88288

In each case in figuring prices based on grade differentials, if the processor has base prices for both a higher and lower grade than the item being priced, he shall use the differential between the item being priced and the lower grade, except that substandard shall not be used as the lower grade. (For example, if the processor has base prices for both Fancy and Standard grades and now wishes to price Extra Standard he takes the difference between Extra Standard and Standard.) H AREA WHOLE SNAP BEANS, (BUSH BEANS IN AREAS I THROUGH 10, POLE BEANS IN [Differences between successive grades per dozen containers] (PART 1)

				No. 2 cans			No. 10 cans	**
Hem No.	Area	Sieve size	Fancy Ex-	Ex-Stand- ard and Standard	Er-Stand- Standard and and Sub- Standard Standard	Fancy and Ex- Standard	Ex-Stand-	Standard and Sub- Standard
100		T e	\$0.15	\$0.10	80, 10,	50.73 ET.03	\$0.50	\$0.49
60	-	50	.15	.10	9			*
5	-	Sand un	.13	0.0	01.			
9		Ungraded	.15	01.	. 10			
7		H	.15	01.	.10			
×o		200	15	91.	99			
10	-	~1	.15	01.	.10			
Harman		5 and up	101	. 10	. 10			8
12.		Ungraded	15	101	. 10			

	8
AREA 11)	8345542884468488
(PART 2) CUT SNAP BEANS (BUSH BEANS IN AREAS 1 THEOUGH 10, POLE BEANS IN AREA 11)	**************************************
I 10, POLE	200000000000000 3
1 THEOUGH	2288811168811888
IN AREAS	8 88888888515757511
SH BEANS	
BEANS (BU	2 and up. Ungraded Ungraded Ungraded Ungraded Ungraded S and up. Ungraded Ungraded
CUT SNAP	01 20
(PART 2)	

TABLE 8—GRADE DIFFERENTIALS—Continued (PART 2) CUT SNAP BEANS, ETC.—continued

				No. 2 cans		1	No. 10 can	
Item No.	Area	Sieve size	Fancy and Ex- Standard	Ex-Stand- ard and Standard	Standard and Sub- Standard	Fancy and Ex- Standard	Ex-Stand- ard and Standard	and Sub-
16 17 18 19	4			To be an	nounced			
21	70 01	(2	\$0.15	\$0.10	\$0.10	\$0.74	1 \$0.49	\$0, 49
22	DE DE	3	.15	.10	.10	.73	. 49	.49
23	5	14	. 15	.10	.10	.73	. 49	.49
24	100	5 and up	.15	.10	.10	74	.48 .48	49
20	4	[2	.15	:10	.10	74	.49	.49
97		3	.15	.10	.10	.73	. 49	.49
28	6	4	.15	, 10	.10	. 73	. 49	.49
29	111111	5 and up	.15	.10	.10	. 73	, 50	.49
30		Ungraded	.15	.10	.10	. 73	. 50	.49
31		2	.18	.12	.10	. 88	. 59	.49
82	7	3	.18	.12	.10	. 88	. 59	.49
3	1	5 and up	.16	.11	.10	68	. 49	49
4	M	Ungraded	14	10	10	68	.49	49
86	1	(ongraded	.18	.12	10	.88	. 59	.49
37	1000	3	.18	.12	.10	.88	, 59	.49
38	8	{4	.16	.11	.10	.79	. 54	.49
89	1	5 and up Ungraded	.14	.09	.10	. 69	.44	.49
40		Ungraded	.14	.09	.10	. 69	.44	.49
41	1	2	. 22	.15	.10	1.08	.73	.49
42	9]]	.22	.14	.10	. 93	. 64	.49
32	1	5 and up.	.17	111	.10	.84	.53	.49
25	1	Ungraded	.17	11	.10	.84	. 53	49
46	1	(2:	.07	.05	10	. 34	. 25	. 49
47	1 30	3	.08	.05	.10	.39	. 25	.49
48	10	K+	.06	.05	.10	.30	.24	.49
49	1	5 and up	.05	.03	-10	. 24	.15	. 49
(0	K	Ungraded	.05	.03	7.10	.24	.15	. 49
11	-	2	.15	-11	.10	78	. 54	.49
2	11	13	.14	.09	.10	65	.44	49
74	11	5 and up	.12	.08	.10	. 59	.39	.49
15		Ungraded	.12	.08	.10	. 59	.39	. 49
	FL.		1 100	1 Comme	1	100000		

TABLE 9—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

[All areas, varieties, sieve sizes and grades]

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies:

No. 2 cans, \$0.11. No. 10 cans, \$0.54.

To figure amount of subsidy for other container sizes, multiply the amount named above for No. 2 cans by the appropriate con-

version factor in Table 5.

Special pricing provisions applicable to packed pole beans in areas other than Area 11, packed bush beans in Area 11, certain styles of pack, and blends of sieve sizes. The following special pricing provisions are applicable to packed pole beans in areas other than Area 11, packed bush beans in Area 11, asparagus style of pack, French style of pack, and blends of sieve sizes. In each case, the maximum price referred to in the provisions is the gross maximum price (after all appropriate conversions made under subparagraph (2), (3) or (4) of section 5 (a), and before subtraction of the direct subsidy payable per unit of the finished product).

unit of the finished product).

(a) Maximum prices for packed pole beans in areas other than Area 11. In each area other Area 11, the maximum prices for packed pole beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans twenty-five cents per dozen, higher than the maximum prices for packed bush beans in

the same area.

(b) Maximum prices for packed bush beans in Area 11. In Area 11, the maximum prices for packed bush beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans, twenty-five cents per dozen, lower than the maximum prices for packed pole beans in that area.

(c) Maximum prices for asparagus style of pack. The maximum prices for asparagus style, horizontal style or vertical style of pack, shall be: In No. 2 cans twenty-five cents per dozen, in No. 2½ cans, thirty-two and one-half cents per dozen, and in No. 10 cans, \$1.25 per dozen, higher than the maximum prices for backed whole beans of the same variety and grade.

(d) Maximum prices for French style of pack. The maximum prices for French style of pack shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans, twenty-five cents per dozen, higher than the maximum prices for packed whole beans of the same variety and grade.

(e) Maximum prices for blends of sieve sizes. (1) The maximum price of a blend of two sieve sizes of a variety, style of pack and grade shall be the maximum price of the

larger sieve size in the blend.

"Blend of two sieve sizes" means a combination of two sieve sizes, which contains not more than 10 per cent by volume of snap beans which are larger than the larger sieve size declared in the blend, and not more than 2 percent by volume of snap beans which are two or more sieve sizes larger than the larger sieve size declared in the blend.

If the combination contains more than the specified percentage by volume of sieve sizes larger than the larger sieve size declared in the blend, the maximum price shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container.

(2) The maximum price of a blend of three sieve sizes containing only No. 4 sieve size and larger shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container. The maximum price of a blend of three sieve sizes of a variety, style of pack and grade, which blend includes at least one sieve size which is smaller than No. 4 sieve size shall be: In No. 2 cans, five cents

per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans, twentyfive cents per dozen, more than the maximum price of the largest sieve size in the blend, packed in the same container.

"Blend of three sieve sizes" means a combination of three sieve sizes, which contains not more than 5 per cent by volume of snap beans which are larger than the largest sieve size declared in the blend, and not more than 1 per cent by volume of snap beans which are two or more sieve sizes larger than the largest sieve size declared in the blend.

If the combination contains more than the specified percentage by volume of sieve sizes larger than the largest sieve size declared in the blend, the maximum price shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container.

as to sieve size, packed in the same container.
(3) The maximum price of a blend of four or more sieve sizes of a variety, style of pack and grade shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container.

4. Table 3 of Appendix B to section 15 is amended in the following respects:

a. In Part 1, Area 1, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

			No. 2 e	an
Item No.	Style and size	p a	Price	ranges
and variety		Permitted increase	Fancy	Stand- ard
5a	Colossal, Mammoth,	0.80	3. 69-3. 79	3, 49-3, 59
8a	Large, Medium Small.	. 65	3. 37–3. 45	3. 17-3. 25

b. In Part 2, Area 2, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

-			No. 20	an
Item No. and	Style and size	tted	Price	ranges
variety		Permitted increase	Faney	Stand- ard
	*			
5a	Colossal, mammoth,	0.88	3. 38-3. 48	3. 18-3. 28
8a	Large, medium, small.	. 84	3, 20-3, 28	3.00-3.08

c. In Part 3, Area 3, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

			No. 2 can			
Item No. and variety	White taken	-in-	Price	Price ranges		
	Permitted crease	Fancy	Standard			
5a	Colossal, Mammoth, Large, Medium Small		3. 63-3. 77	3. 43-3. 57 3. 05-3. 15		
8a	Large, Medium, Small.	.77	3, 25-3, 35	3, 05-3, 15		

d. In Part 4, Area 4, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item No. and variety			In.	No. 2	can
	Style and size	ted	Price ranges		
		Permitted increase	Fancy	Stand- ard	
5a	Colossal, Large.	Mammoth,	1.10	3. 62-3. 76	3. 42-3. 50
88	Large, Me	dium, Small	1.02	3. 38-3. 48	3, 18-3, 2

e. In Part 5, Area 5, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

item No. Style ar and variety			No. 2 can			
		crease	Price	Price ranges		
	Style and size	Permitted increase	Faney	Standard		
ba	Colossal, Mammoth,	.85	3. 63-3, 77	3. 43–3. 57		
8a	Large, Medium, Small.	.77	3. 25-3. 35	3.05-3.15		

5. Table 4 of Appendix B to section 15 is amended in the following respects:

a. In Part 1, Area 1, Item No. 5a is added immediately preceding Item No. 6. and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item number		No.	No. 2 can		
and variety	Style and size	Fancy	Stand- ard		
58	Colossal, Mammoth,	3.74	* 3. 54		
88	Large, Medium, Small	3.41	8. 21		

b. In Part 2, Area 2, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item		No. 2 can		
number and variety	Style and size	Fancy	Stand- ard	
5a	Colossal, Mammoth, Large.	\$3.43	\$3. 28	
8a	Large, Medium, Small	3. 24	3.04	

c. In Part 3, Area 3, Item No. 5a is added immediately preceding Item No. 6,

and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item		No. 2 can		
number and variety	Style and size	Fancy	Stand- ard	
58	Colossal, Mammoth,	\$3.70	* \$3. 50	
8a	Large, Medium, Small	3. 80	8. 10	

d. In Part 4, Area 4, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item		No. 2 can		
and variety			Stand- ard	
5a 8a	Colossal, Mammoth, Large Large, Medium, Small	\$3. 69 3. 43	\$3.49 8.23	

e. In Part 5, Area 5, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item		No. 2 can		
number and variety	Style and size	Fancy	Stand- ard	
5a	Colossal, Mammoth,	\$3.70	\$3.50	
88	Large, Medium, Small	3. 30	8. 10	

6. In Table 3 of Appendix A to section 16, the figure "2.45" in the column headed "Permitted increase," under the column headed "No. 10 cans," is amended to read "3.18" and the figure "9.77–10.97" in the column headed "Price range," under the column headed "No. 10 cans," are amended to read "10.50-11.70."

7. In Table 4 of Appendix A to section 16, the figure "10.37" in the column headed "No. 10 cans" is amended to read "11.10."

This amendment shall become effective August 30, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13177; Filed, August 30, 1944; 11:14 a. m.]

PART 1351-FOOD AND FOOD PRODUCTS [FPR 1,1 Amdt. 7 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment

\$9 F.R. 9493, 9613, 10194, 10356, 10497.

has been issued and filed with the Division of the Federal Register.*

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. In section 5, the undesignated paragraph immediately preceding paragraph (a) is amended to read as follows:

The processor shall figure a maximum price for each factory at which he processes the item being priced. (However, he may then elect to combine prices as provided in section 10 (f)).

2. The undesignated paragraph at the end of section 5 (a) (1) (i) is amended to read as follows:

In figuring weighted average prices during the base period, the processor may, if he wishes, figure a single weighted average for any group of factories located in the same pricing area. For this purpose, the processor shall include all sales (as described above) made during the first 60 days after the beginning of the 1941 pack at each factory included in the

This amendment shall become effective August 30, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13209; Filed, August 30, 1944; 3:57 p. m.]

PART 1364-FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 550, Correction]

CURED AND SMOKED FISH

1. In Maximum Price Regulation 550 the paragraph entitled "Notice to wholesalers and retailers" set out in section 1.10 is corrected by inserting "550" after the words "Maximum Price Regulation No. ____" and by inserting the words "August 21, 1944" following the words "on and after" at the end of that para-

2. In section 5.1 (b) the numbers "3.1," "3.3" and "3.4" are corrected to read "5.1", "5.3" and "5.4" respectively.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13289; Filed, August 31, 1944; 11:56 a. m.]

PART 1364-FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS [RMPR 239,1 Amdt. 14]

LAMB AND MUTTON CARCASSES AND WHOLE-SALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith

^{*}Copies may be obtained from the Office of Price Administration. 17 F.R 10688, 8 F.R. 3539, 4786, 8677, 9066.

and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 239 is amended in the following

1. The date "March 28, 1944" contained in paragraph (b) (2) of § 1364.159 is amended to read "September 1, 1944".

2. The words "other than to war procurement agencies" appearing in sub-divisions (ii) and (iii) of paragraph (b) (2) of § 1364.159 are hereby deleted and the words "other than to contract schools" are substituted therefor.

3. The words "the War Shipping Administration and/or" appearing in paragraph (b) (3) and the words "and/or the War Shipping Administration" appearing in paragraph (b) (4) of § 1364.159 are hereby deleted.

4. The definition of "Hotel supply house" appearing in § 1364.160 (a) (5) is

amended to read as follows:

- (5) "Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of lamb and mutton carcasses and/or wholesale cuts, variety meats and edible by-products and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products and/or processed meat products to ultimate consumers pursuant to the provisions of § 1364.168a of this regulation; and which during the period of September 15 through December 15, 1942, sold and/or delivered to purveyors of meals, not less than 70 percent of the total volume by weight of all meats, variety meats and edible byproducts and/or sausage and similar products thereof, sold by it, other than to war procurement agencies. status of any selling establishment as a hotel supply house shall not be affected where such establishment is physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment, but is not owned or controlled by, or does not own or control such packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment. "Own or control" within the meaning of this definition means to own or control directly or indirectly a partnership equity or in excess of 10 percent of any class of outstanding stock or to have made loans or advances in excess of 5 percent of the other person's monthly sales
- 5. Subdivisions (ii) and (iii) of paragraph (a) (10) of § 1364.160 are hereby
- 6. Subdivisions (iv) and (v) of p.ragraph (a) (10) of § 1364.160 are hereby redesignated (ii) and (iii).
- 7. That portion of paragraph (a) of § 1364.168 immediately preceding the

proviso clause is amended to read as follows:

- (a) Notwithstanding the terms of any contract, agreement or other obligation, no hotel supply house, packing or slaughtering plant, packer's branch house, wholesaler's or other seller's establishment shall sell and/or deliver to purveyors of meals other than contract schools, during any three month quota period beginning June 1, September 1, December 1 or March 1, a total volume by weight of hotel supply cuts (fabricated meat cuts) in excess of 90 percent of the total volume by weight of beef, yeal, lamb and mutton, not including canned meats of any kind, variety meats and edible by-products of any kind, and/ or sausage and similar products thereof, sold or delivered by such selling establishment from September 15, 1942, through December 15, 1942, to purveyors of meals, other than to contract schools (in no event shall a war procurement agency be deemed to be a purveyor of meals), except that any selling establishment which was not engaged in sales of beef, veal, lamb and mutton to purveyors of meals from September 15, 1942, through December 15, 1942, for the reason that the selling unit and all facilities thereof were under the contr ! of an agency of the United States Government, may determine its quota by reference to the three month quota period of 1942 immediately prior to such assumption of control:
- 8. Section 1364.168 (b) is amended to read as follows:
- (b) Any selling establishment which has established a quota pursuant to paragraph (a) of this § 1364.168 may, subject to the conditions hereinafter set forth, redetermine its quota for sales to purveyors of meals for each three month quota period beginning September 1, 1944, on the basis of its sales to purveyors of meals during the corresponding three month period of 1942: Provided, That such selling establishment shall fix its quota for each three month quota period thereafter, other than the period beginning December 1, by reference to sales made by it during the corresponding three month period of 1942. For the three month quota period beginning December 1, such selling establishment shall determine its quota on the basis of its sales to purveyors of meals during the three month period beginning December 1, 1941. Any selling establishment which elects to fix its quotas for sales to purveyors of meals, pursuant to the alternative method stated herein, shall file not later than September 1, 1944, the records required under § 1364.159 (b) (2) for each three month period beginning December 1, 1941, and ending November 30, 1942. The right to elect the alternative method of computing quotas shall be exercised on or before September 1, 1944, and such election shall be made by the filing of the alternative quota data required herein. After September 1, 1944, no selling establishment may elect the alternative quota and any selling establishment which has failed to file the alterna-

tive quota reports as required herein shall remain subject to the quota computed by reference to sales made from September 15, 1942, through December 15, 1942. Sales or deliveries by any selling establishment during the three month quota period beginning September 1, shall not exceed the quota fixed on the basis of sales made from September 15, 1942, through December 15, 1942, unless the alternative method of computation has been elected through the timely filing of the alternative quota computations and such computations permit a higher quota. If the alternative quota computation for the three month period beginning September 1, is less than the quota computed by reference to sales made by it from September 15, 1942, through December 15, 1942, sales during the quota period beginning September 1, shall not exceed the lower quota.

- 9. Section 1364.168 (e) is added to read as follows:
- (e) Any order issued pursuant to the provisions of paragraph (b) of this § 1364.168 is revoked as of August 31, 1944, and each regional administrator shall notify every person affected by this paragraph of the revocation.
- 10. Section 1364.170 (i) is amended to read as follows:
- (i) Transportation and delivery. Subject to the limitations in paragraph (i) (4) of this section, the following may be added to the applicable zone prices for transporting lamb or mutton from the point of slaughter to the distribution point and for delivery from the distribution point to the buyer's place of business.
- (1) For transportation from the point at which the meat was slaughtered to the seller's distribution point. (i) For transportation from the point at which the meat was slaughtered in Price Zone 2, 3 or 4 to a distribution point located in any of those price zones, other than another slaughter or packing plant owned or controlled by the same seller, the seller hay add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 75 cents per hundredweight.

(ii) For transportation from the point at which the meat was slaughtered in Price Zone 1 or 5 to 10, inclusive, to a distribution point located in the same price zone as the slaughter point, other than another slaughter or packing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 25 cents per hundredweight.

(2) For delivery from the distribution point to the buyer's place of business. (i) If meat is delivered by the seller to the place of business of a retailer, wholesaler, hotel supply house, purveyor of meals or commercial user, or to the designated delivery point of a war procurement agency or other government agency located within a radius of 25 miles from

^{*}Copies may be obtained from the Office of Price Administration.

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the distribution point, the seller may add 25 cents per hundredweight.

(ii) If meat is delivered by the seller to the place of business of a retailer, wholesaler, hotel supply house, purveyor of meals or commercial user, or to the designated delivery point of a war procurement agency or other government agency located more than 25 miles from the point of distribution, the seller may add the actual cost of transportation, but not to exceed \$.50 per hundredweight from a distribution point in Price Zones 1, or 5 to 10, inclusive, and \$.75 per hundredweight from a distribution point in Price Zones 2, 3 or 4.

(iii) Where the distribution point and

(iii) Where the distribution point and the buyer's place of business coincides, as in the case of truck routes, the seller may, at his option, treat the point of origin of the truck route as the distribu-

tion point.

(3) For delivery by a packer's branch house, wholesaler or hotel supply house. If the seller is a packer's branch house, wholesaler or hotel supply house who has paid a charge under paragraph (i) of this section for delivery and/or transportation, he may upon resale of lamb or mutton carcasses and wholesale cuts, upon which the charge has been made, add the amount of such charge up to \$.25 upon sales made from a distribution point located in Price Zones 1 and 5 to 10, inclusive, and up to \$.50 in Price Zones 2, 3 and 4.

- (4) Limitation on total charge for transportation and delivery. Notwithstanding any of the provisions of paragraph (i) (1) to (i) (3), inclusive, of this section, nothing therein contained shall be construed to permit a total charge for transportation and/or delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50 cents per hundredweight in Price Zone 1 or 5 to 10, inclusive, or \$1.00 per hundredweight in Price Zone 2, 3 or 4. The additions specified in this paragraph (i) for transportation and for delivery may be charged: Provided, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or delivery which is included in the maximum price charged.
- (5) How to compute cost. The cost of transportation or delivery is to be computed on the basis of the lowest common carrier rate for the method of transportation employed.

- (6) Railway express shipments. Where lamb or mutton is shipped by express to a purveyor of meals by a hotel supply house, no charge may be made by the seller for transportation or delivery. The buyer pays the shipping charges directly to the carrier.
- 11. Section 1364.170 (j) is amended to read as follows:
- (i) Peddler truck selling addition. On a peddler truck sale involving delivery of not more than 100 pounds of lamb or mutton in a total delivery of not more than 150 pounds of meats and meat products in any one day from such peddler truck to any buyer's store door, a peddler may add to the applicable zone wholesale prices, the sum of \$1.25 per hundredweight. If such sale involves a delivery of more than 100 pounds of lamb or mutton or a total delivery of more than 150 pounds of meats and meat products, the peddler may add to the applicable zone wholesale prices an amount not in excess of 75 cents per hundredweight, applicable to the total delivery of lamb or mutton in the one day from such peddler truck to the buyer's store These additions shall be in lieu

of any delivery and/or transportation addition permitted under paragraph (i) of this section.

- 12. Section 1364.177 (c) (3) is redesignated as (d) and amended to read as follows:
- (d) (1) The applicable zone prices in Zones 1 and 5 to 10, inclusive, for fabricated lamb and mutton carcasses (War Shipping Administration Specifications) shall be the prices specified in subparagraph (2) hereof (the applicable Zone 2, 3 and 4 prices) plus the following:

ione:	
1	\$1.50
5	. 50
6	.75
7	1.00
8	1.25
9	1.50
10	1.75

(2) Subject to the additions and deductions hereafter provided in Column IV, the following table prices shall be the applicable Zone 2, 3 and 4 prices on sales of fabricated lamb and mutton carcasses (War Shipping Administration Specifications) made:

Column I	Column II	Column III	Column IV
ву-	* То-	Which sales require deliveries	Additions and deductions
(f) Any person (other than a slaughterer, packer, or packer's branch house).	The War Shipping Adminis- tration or to such person as may be authorized by the War Shipping Administra- tion to make such purchess- under the direction and con- trol of that agency (stock nile).	To a commercial warehouse or a storage place designated by the War Shipping Ad- ministration.	None.
(ii) Any slaughterer, packer, or packer's branch house.	The War Shipping Adminis- tration or such person as may be authorized by the War Shipping Administra- tion to make such purchases under the direction and con- trol of that agency (stock pile).	To a commercial warehouse or a storage place designated by the War Shipping Ad- ministration.	Deduct \$0,50 per cwt. from table price.
(iii) Any person (other than a slaughterer, packer or pack- er's branch house).(iv) Any slaughterer, packer,	A licensed ship supplier	To the buyer's place of business. To the buyer's place of business.	Deduct \$0.25 pe cwt. from table price. Deduct \$0.75 pe cwt. from table
or packer's branch house, (v) A slaughterer, packer or packer's branch house which	A ship operator	To ship side	price. None.
is a licensed ship supplier, (vi) A licensed ship supplier (Other than a slaughterer, packer or packer's branch house) who purchased the fabricated lamb or mutton carcasses (War Shipping Ad- ministration Specifications) from the War Shipping Ad- ministration (stock pile) or from a person who has accu- mulated an inventory of fabri- cated lamb or mutton car- casses (War Shipping Admin- istration Specifications) (stock pile) under direction and con- trol of the War Shipping Ad-	A ship operator	To ship side	Add \$1.50 pe cwt, to table price.
ministration. (vii) Any licensed Ship supplier (other than a slaughterer, packer or packer's branch house).	A ship operator	To ship side	Add \$1,25 pe cwt. to tabl price.

All prices are on dollars per hundredweight basis. The prices for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing strapping, inspection and grading in accordance with War Shipping Administration Specifications.

(The additions and deductions specified in §§ 1364.170 and 1364.171 of this regulation are not applicable.) For fabricated lamb and mutton carcasses (War Shipping Administration Specifications), not boxed but wrapped in Kraft paper and cheese cloth, \$0.25 per hundredweight shall be deducted from table prices]

	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade O	Grade S	Grade M
Fabricated carcasses	27.75	26. 25	24. 00	21.75	14, 50	13. 25

All sales or deliveries under this paragraph (d) are made subject to the provisions of § 1364.169 (c) and for the purposes of this subparagraph (2), the term "fabricated lamb or mutton carcasses (War Shipping Administration Specifications)" shall be substituted for the term "wholesale cut" in § 1364.169 (c). No person shall sell or deliver any fabricated lamb or mutton carcass which does not meet War Shipping Administration Specifications to the War Shipping Administration or to a licensed ship supplier for resale as ship stores or to any ship operator for ship stores.

For purposes of this subparagraph (2), a sale of fabricated lamb or mutton carcasses (War Shipping Administration Specifications) by any selling establishment which satisfies the definition of "hotel supply house" as defined in \$1364.160 (a) (5) shall be deemed to be a sale by a person other than a slaughterer, packer, or packer's branch house.

(3) The War Shipping Administration or any person authorized by the War Shipping Administration to make purchases under its direction and control is authorized to purchase and sell fabricated lamb and mutton carcasses (War Shipping Administration Specifications).

(4) "Fabricated lamb or mutton carcasses (War Shipping Administration Specifications)" means carcasses satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. Fabricated lamb or mutton carcasses (War Shipping Administration Specifications) shall be graded in accordance with § 1364.167 of this regulation, and no fabricated lamb or mutton carcasses (War Shiping Administration Specifications) so graded shall be packed for sale and/or delivery to the War Shipping Administration, to a licensed ship supplier or to any person for resale as ship stores. authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator except in the presence of an official United States inspector designated by the Food Distribution Administration, or other United States Government agency regularly performing grading and/or inspection service who shall certify that the cutting, boning, trimming, and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(5) For purposes of subparagraphs (2), (3) and (4) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators and (ii) a "ship operator" means any person as defined in Food Distribution Regulation No. 3 who conducts" * business of vessels for the account of the United States under a general agency form of service agreement aproved by the Administrator of the War Shipping Administration; or operating as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered or operated by any allied or neutral country," or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

13. Section 1364.173 is added to read as follows:

§ 1364.173 Records and reports. Whenever used in this § 1364.173, the term "shipment" shall mean all commodities which are consigned to a single buyer as part of a single freight car or truck movement to the place of business or warehouse of the buyer, other than a consignment for delivery of the entire content of a common carrier freight car or truck to a war procurement agency.

(a) Except as provided in paragraph (b) of this § 1364.173, every person making a sale of any meat item subject to this revised regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the name and address of the buyer and seller; identifying each such item sold; setting forth the quantity and grade, the weight thereof, and the price charged and/or received therefor, including a separate statement of the transportation and delivery charge as required by § 1364.170 (i) (4).

(b) (1) In the case of any shipment made to a buyer located within a radius of 25 miles from the seller's distribution point, and in the case of any c. o. d. shipment made, irrespective of the distance, each person shipping any of the meat items subject to this revised regulation shall send with each such shipment a copy of the written statement referred to in paragraph (a) hereof.

(2) In the case of a shipment made to a buyer located beyond a radius of 25 miles from the seller's distribution point, other than a c. o. d. shipment, each person shipping any of the meat items subject to this regulation shall send with each such shipment a copy of the written statement referred to in paragraph (a)

hereof: Provided, however, That if the shipment made to the buyer is commenced before 12 o'clock noon, that portion of the statement with respect to the price charged or received therefor and the separate statement of the transportation and delivery charge may be omitted but must be mailed to the buyer on the same day. If the shipment made to the buyer is commenced after 12 o'clock noon, that portion of the statement with respect to the price charged or received therefor, and the separate statement of the transportation and/or delivery charge may be omitted but must be mailed to the buyer before 12 o'clock noon of the following business day.

(3) Where the shipment made constitutes the entire content of a common carrier freight car or truck, the copy of the statement referred to in paragraph (a) shall be posted in the freight car or truck near or on the door. Where the shipment made constitutes only a part of the content of a common carrier freight car or truck, the copy shall be securely attached in a conspicuous place to one of the items included within the shipment. Where the shipment made is by a vehicle other than a common carrier, the copy referred to shall be given to and carried by the driver and he shall be authorized to display it to enforcement officers on request.

(4) Every person transferring any of the meat items subject to this regulation to a business establishment or warehouse controlled or operated by him, which constitute the entire content of a vehicle, shall send with each vehicle making such transfer, a statement showing the name and address of the owner, the point of destination and that the meat items are not being transferred to a buyer in connection with the sale. The transfer must be identified in the same manner as required in the foregoing subparagraph (3) of this paragraph (b) except that the statement with respect to price or transportation and delivery charge shall not be required.

(c) Every seller subject to this Revised Maximum Price Regulation No. 239, making sales or deliveries of lamb or mutton carcasses or wholesale cuts shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, a complete and accurate record of each such sale or delivery showing the date of sale, the name and address of the buyer, the quantities, weights and grades sold and the price charged therefor. Kosher sales and sales to purveyors of meals are to be shown separately.

This amendment shall become effective September 5, 1944.

Note: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13291; Filed, August 31, 1944; 11:59 a. m.]

PART 1388-DEFENSE-RENTAL AREAS [Housing, Atlantic County Area,1 Corr. to Amdt. 2]

In Amendment 2 to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area the first paragraph of section 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

> JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13303; Filed, August 31, 1944; 11:58 a. m.]

PART 1388-DEFENSE-RENTAL AREAS [Hotels and Rooming Houses, Miami Area,* Corr. to Amdt. 6]

In Amendment 6 to the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area the first paragraph of section 5 (a) (9) is corrected by adding the words "(before interest)" following the words "net in-

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13302; Filed, August 31, 1944; 11:58 a. m.]

PART 1388-DEFENSE-RENTAL AREAS [Housing, Miami Area, Corr. to Amdt. 8]

In Amendment 8 to the Rent Regulation for Housing in the Miami Defense-Rental Area the first paragraph of section 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

> JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13294; Filed, August 31, 1944; 11:59 a. m.]

PART 1388-DEFENSE-RENTAL AREAS [Housing, New York City Area,4 Corr. to Amdt. 10]

In Amendment 10 to the Rent Regulation for Housing in the New York City Defense-Rental Area the first paragraph of section 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13295; Filed, August 31, 1944; 11:58 a. m.]

PART 1388-DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City Area,1 Corr. to Amdt. 11]

In Amendment 11 to the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area the first paragraph of section 5 (a) (9) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13301; Filed, August 31, 1944; 11:58 a. m.]

PART 1388-DEFENSE-RENTAL AREAS [Hotels and Rooming Houses,2 Corr. to Amdt. 29]

In Amendment 29 to the Rent Regulation for Hotels and Rooming Houses the first paragraph of section 5 (a) (9) is corrected by adding the words "(before interest)" following the words "net in-

Issued and effective this 31st day of August 1944.

> JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13293; Filed, August 31, 1944; 11:58 a. m.]

PART 1388-DEFENSE-RENTAL AREAS [Housing, Corr. to Amdt. 32]

In Amendment 32 to the Rent Regulation for Housing the first paragraph of sectior 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13292; Filed, August 31, 1944; 11:58 a. m.]

TITLE 42-PUBLIC HEALTH

Chapter I-United States Public Health Service

PART I-PERSONNEL

SPECIAL CONSULTANTS

Pursuant to the authority contained in section 208 (c) of the Act of July 1, 1944, 58 Stat. 667, the following regulation is prescribed:

§ 1.3 Special consultants. When the Service requires the services of consultants who cannot be obtained when needed through regular Civil Service appointment, or under compensation provisions of the Classification Act of 1923, as amended, the Administrator on

recommendation of the Surgeon General may appoint special consultants to assist and advise in the operations of the Service at such per diem or other rates of compensation as he shall determine. No such consultant shall be employed for an aggregate of more than one-half of the number of working days of any fiscal year unless the Administrator, because of special circumstances, shall approve an extension thereof.

Dated: August 29, 1944.

[SEAL]

THOMAS PARRAN, Surgeon General.

Approved: August 29, 1944. Watson B. Miller, Acting Federal Security Administrator.

[F. R. Doc. 44-13278; Filed, August 31, 1944; 11:32 a. m.]

PART 12-INTERSTATE QUARANTINE

USE OR SHIPMENT OF GARBAGE

Pursuant to the authority contained in section 602 of the Act of July 1, 1944, 58 Stat. 667, section 141/2 of the Interstate Quarantine Regulations of the United States (42 C. F. R. 12.18) is hereby repealed and pursuant to section 361 (a) of the Act of July 1, 1944, 58 Stat. 667, the following regulation is prescribed:

§ 12.18 Use or shipment of garbage. (a) The feeding of uncooked garbage to swine intended for human consumption is found to contribute substantially to the interstate spread of trichinosis, and heat treatment of garbage which is less than the minimum heat treatment herein defined is found to be insufficient for the destruction of trichinae therein. For the purpose of this regulation, the minimum heat treatment of garbage shall consist of causing all particles thereof to be heated to a minimum temperature of 212° F. and to be held at that temperature for at least 30 minutes. The term "person" shall include an individual, firm or corporation.

(b) No person shall transport, or receive, or cause to be transported or received, garbage in interstate traffic and feed such garbage to swine unless, prior to such feeding, such garbage has received minimum heat treatment as defined in subsection (a) of this regula-

(c) No person transporting garbage in interstate traffic shall make, or agree to make, delivery thereof to any person with knowledge of the intent or customary practice of such person to feed swine garbage which has not been subjected to minimum heat treatment as defined in subsection (a) of this regulation.

Dated: August 26, 1944.

L. R. THOMPSON. [SEAL] Acting Surgeon General.

Approved: August 29, 1944. WATSON B. MILLER, Acting Federal Security Administrator.

[F. R. Doc. 44-13279; Filed, August 31, 1944; 11:32 a. m.]

¹⁹ F.R. 6819.

²8 F.R. 14043, 16033; 9 F.R. 3422, 5003. ³8 F.R. 13118, 14047, 16033; 9 F.R. 3423, 4028, 6360,

^{&#}x27;8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087, 3423, 4028, 6360,

¹⁸ F.R. 15581, 16219, 16893; 9 F.R. 2086,

<sup>8422, 5003.

&</sup>lt;sup>2</sup> 9 F.R. 2165, 2290, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6569.

⁸ 9 F.R. 5807, 5915, 6359, 6569, 6819.

TITLE 46-SHIPPING

Chapter II—United States Maritime Commission

Subchapter E-War Contracts
[Gen. Order 57, Supp. 1]

PART 298—SETTLEMENT OF CLAIMS ARISING UNDER TERMINATED WAR CONTRACTS

LOANS

Whereas. The Commission is authorized by section 10 of the Contract Settlement Act of 1944 (58 Stat. 649) (1) to enter into contracts with any Federal Reserve Bank, or other public or private financing institution, guaranteeing such financing institution against loss of principal or interest on loans, discounts, or advances or on commitments in connection therewith, which such financing institution may make to any war contractor or to any person who is or has been engaged in performing any operation deemed by such contracting agency to be connected with or related to war production, for the purpose of financing such war contractor or other person in connection with or in contemplation of the termination of one or more such war contracts or operations; and (2) to make, enter into contracts to make, or to participate with any Government agency, any Federal Reserve Bank, or public or private financing institution in making loans, discounts, or advances, or commitments in connection therewith, for the purpose of financing any such war contractor or other person in connection with or in contemplation of the termination of such war contracts or operations;

Whereas, the Commission is authorized by section 23 of said Contract Settlement Act of 1944 to delegate any authority and discretion conferred upon it by or pursuant to said act to any officer or employee of the Commission, or to any other Government agency, and to authorize successive redelegations of such authority and discretion; and whereas the Federal Reserve Banks are authorized by section 10 of said act to act as fiscal agents of the United States on behalf of the Commission; and

Whereas, in order to facilitate the exercise of the Commission's powers, functions, duties, and discretion under the Contract Settlement Act of 1944, it is necessary that the Commission delegate its authority thereunder to the Federal Reserve Banks and to appropriate officers of the Commission for the performance of the functions and activities authorized by said act relative to the guaranteeing of loans;

It is therefore ordered, That \$ 298.103 of the regulations of the Commission with respect to the settlement of claims arising under terminated war contracts (9 F.R. 9837) be and it hereby is amended to read:

§ 298,103 Loans and loan guarantees or commitments by Federal Reserve Banks. The Federal Reserve Banks are authorized, to the extent herein specified, to act as fiscal agents of the Commission for guaranteeing financing institutions against loss of principal or interest on loans, discounts, or advances or on com-

mitments in connection therewith, which such financing institution may make to any war contractor or to any person who is or has been engaged in performing any operation deemed by the Commission to be connected with or related to war production, for the purpose of financing such war contractor or other person in connection with or in contemplation of the termination of work under one or more such war contracts or operations, pursuant to the policies, principles, methods, and procedures relative to such guarantees and commitments therefor prescribed by the Director of Contract Settlement. The Federal Reserve Banks are authorized to approve, after consultation with and in the absence of objection by authorized representatives of the Commission, all applications for such guarantees of loans totaling (a) \$500,000 or less to any one borrower when the requested percentage of guarantee is not in excess of 90 per centum of the loan, and (b) \$100,000 or less to any one borrower when the requested percentage of guarantee is not in excess of 95 per centum of the loan. The Director of Finance and the Assistant Directors of Finance, and such other officers and employees as they may designate, are authorized to act as representatives of the Commission in connection with the execution of guarantees and commitments therefor or the making of loans by the Federal Reserve Banks.

It is further ordered, That the aforementioned regulations be amended by adding thereto two sections as follows:

§ 298.104 Guarantees of loans exceeding \$500,000. Applications from financing institution for guarantees of termination loans totaling more than \$500,000 to any one borrower shall be made to the Director of Finance, United States Maritime Commission, Washington 25, D. C.

§ 298.105 Direct loans. Applications from war contractors for direct loans, as provided in section 10 of the act, shall be made to the Director of Finance, United States Maritime Commission, Washington 25, D. C.

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS, Secretary.

AUGUST 24, 1944.

[F. R. Doc. 44-13282; Filed, August 31, 1944; 11:50 a. m.]

Chapter III—War Shipping Administration

[Gen. Order 8, Supp. 10 (Rev.), Amdt. 2]

PART 302—CONTRACTS WITH VESSEL OWN-ERS AND RATES OF COMPENSATION RELAT-ING THERETO

REDETERMINATION AND READJUSTMENT OF

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-GLAF vessels chartered or requisitioned for use pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended.

Section 302.92 Basic rates (of General Order 8, Supplement 10, Revised) is amended by striking out paragraph (a)

and inserting in lieu thereof:

(a) Dry cargo vessels. The time charter rate per deadweight ton per month for dry cargo vessels shall be:

	Rate per deadw	eight
Tonnage:	ton per mon	th
23,000 and over		\$3.00
- 22,000-22,999		3.05
21,000-21,999		3.10
20,000-20,999		3.15
19,000-19,999		3.20
18,000-18,999		3.25
17,000-17,999		3.30
16,000-16,999		3.35
15,000-15,999		3.40
14,000-14,999		3.45
13,000-13,999		3.55
12,000-12,999		3.65
11,000-11,999		3.75
10,000-10,999		3.85
9,000- 9,999		4.00
8,000- 8,999		4.10
7,000- 7,999		4.35
6,000- 6,999		4.65
5,000- 5,999		5.00
4,000- 4,999		5.40
3,500- 3,999		5.60
3,000- 3,499		5.85
2,500- 2,999		6.15
2,000- 2,499		6.80
1,500- 1,999		6.90
1,000- 1,499		7.35

(E.O. 9054, 7 F.R. 837)

E. S. LAND, Administrator.

AUGUST 31, 1944.

[F. R. Doc. 44-13281; Filed, August 31, 1944; 11:50 a. m.]

[Gen. Order 3, Supp. 1]
PART 341—SHIP WARRANT REGULATIONS
SUBPART J—RATES

Section 341.93 Rate Orders is amended to read:

§ 341.93 Rate Orders and other rate advices. (a) All modifications, amplifications or changes made by the Administration in the rates and conditions authorized by this order (§§ 341.91 to 341.93, inclusive) pursuant to the act of July 14, 1941 (55 Stat. 591), shall be in the form of "Rate Orders" or other advices hereafter to be issued.

(b) The rates, surcharges and conditions prescribed pursuant to this Order (§§ 341.91 to 341.93, inclusive), including modifications, amplifications or changes therein as authorized by the Administration in the form of "Rate Orders" or other advices, must be observed with respect to all vessels operated for account of the United States unless a departure therefrom was or is specifically authorized by the Administration; as to all other vessels, such authorized rates, surcharges and conditions, including modifications, amplifications or changes therein, shall, where applicable, constitute the maxima in which the Administration will concur as a condition to the granting, or to the continued recognition, of the warrants authorized by the act of July 14, 1941, unless otherwise specifically authorized by the Administration.

(E.O. 9054, 7 F.R. 837, 55 Stat. 591)

[SEAL]

E. S. LAND, Administrator.

AUGUST 30, 1944.

[F. R. Doc. 44-13280; Filed, August 31, 1944; 11:50 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Huse Publishing Company, 116 N. 4th Street, Norfolk, Nebraska; printing; 7 learners (T): linotype operator, pressman, com-positor, proofreader, engraver, bindery worker for a learning period of 1,000 hours provided that if any learners are students combined work and school hours in any one week do not exceed 48 hours at 30 cents for the first 500 hours and 35 cents for the following 500 hours; effective August 30, 1944, expiring August 29, 1945.
Wallace Nutting Shops, 46 Park Street,

Framingham, Massachusetts; hand coloring pictures; 2 learners (T); colorist for a learning period of 160 hours at 30 cents an hour: effective August 24, 1944, expiring October 5,

Signed at New York, New York, this 29th day of August 1944.

> TSAREL FERGUSON. Authorized Representative of the Administrator.

[F. R. Doc. 44-13205; Filed, August 30, 1944] 2:52 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulaations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGIS-TER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Gar-ments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner

Regulations, October 24, 1940 (5 F.R. 4203). Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).
Knitted Wear Learner Regulations, Octo-

ber 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PROD-UCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GAR-MENTS DIVISIONS OF THE APPAREL INDUSTRY

Dixie Shirt Company, Inc., Spartanburg, South Carolina; men's civilian and army shirts; 10 percent (T); effective August 26, 1944, expiring August 25, 1945.

Eagle Brothers, 108 S. Main Street, Mahanov City, Pennsylvania; boys' shirts; 10 percent (AT); effective August 29, 1944, expiring February 28, 1945.

Hilb Manufacturing Company, 1731 Arapa-hoe Street, Denver, Colorado; ladies' slack suits, skirts, lounging pajamas and robes; 5 learners (T); effective August 30, 1944, expiring August 29, 1945.

Industrial Undergarment Corporation, 340 Mill Street, Poughkeepsie, New York; ladies' underwear; 10 percent (T); effective September 1, 1944, expiring August 31, 1945.

McAdoo Manufacturing Company, S. Han-cock Street, McAdoo, Pennsylvania; infants' wear, polo shirts, diaper covers; 39 learners (E); effective August 29, 1944, expiring November 28, 1944.

Model Sportwear Company, 212 "E" Street, Pen Argyl, Pennsylvania; ladies', misses, and children's blouses; 10 learners (T); effective August 28, 1944, expiring August 27, 1945.

Racine Shirt Company, Inc., Greensburg, Indiana; work shirts, mackinaws and coats; 10 percent (T); effective August 31, 1944, expiring August 30, 1945.

Shawnee Garment Manufacturing Company, 115½ North Bell Street, Shawnee, Oklahoma; men's and boys' overalls, pants, shirts and work coats; 10 learners (T); effective

September 2, 1944, expiring September 1,

South Side Dress Company, 1805 Pittston Avenue, Scranton, Pennsylvania; children's and ladies' dresses; 10 percent (T); effective August 29, 1944, expiring August 28, 1945.

Wyoming Frocks, Incorporated, 342–346 Wyoming Avenue, Wyoming, Pennsylvania; ladies' and misses' dresses; 15 learners (E); effective August 28, 1944, expiring February 27, 1945.

GLOVE INDUSTRY

Richmond Glove Corporation, 306 Salem Avenue, West, Roanoke, Virginia; work gloves; 10 learners (AT); effective August 28, 1944, expiring February 27, 1945.

Saranac Glove Company, 42 Saranac Street, Littleton, New Hampshire; leather dress and work gloves; 5 learners (T); effective August 28, 1944, expiring August 27, 1945. The Tex-Sun Glove Company, Inc., 110 East 6th Avenue, Corsicana, Texas; work gloves;

20 learners (E); effective August 28, 1944. expiring February 27, 1945.

HOSIERY INDUSTRY

Athens College Hosiery Mill, Athens, Alabama; Full-fashioned hosiery; 36 learners (AT); effective September 12, 1944, expiring June 30, 1945.

Sunshine Hosiery Mills, 215 South Church Murfreesboro, Tennessee; seamless and full-fashioned hosiery; 5 percent (T); effective August 29, 1944, expiring August 28, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Reinbeck, Iowa; to employ learners as commercial switchboard operators at its Reinbeck exchange, located at Reinbeck, Iowa; effective

August 26, 1944, expiring August 25, 1945. Dalton Telephone Company, Dalton, Georgia; to employ learners as commercial switchboard operators at its Dalton exchange, located at Dalton, Georgia; effective August 25. 1944, expiring August 24, 1945.

Douglas Telephone Company, Douglas, Georgia; to employ learners as commercial switchboard operators at its Douglas exchange, located at Douglas, Georgia; effective August 25, 1944, expiring August 24, 1945.

CIGAR INDUSTRY

General Cigar Company, Inc., 7th and Poplar Streets, Benton, Kentucky; machine made cigars; 10 percent (T); cigar machine operating for a learning period of 320 hours at 30 cents an hour; cigar packing and machine stripping for a learning period of 160 hours at 30 cents an hour; effective August 22, 1944, expiring August 21, 1945.

Signed at New York, N. Y., this 29th day of August 1944.

ISABEL FERGUSON, Authorized Representative of the Administrator.

[F. R. Doc. 44-13206; Filed, August 30, 1944; 2:52 p. m.]

FEDERAL COMMUNICATIONS COM-MISSION.

[Docket No. 6653]

QUEEN CITY BROADCASTING CO., INC.

NOTICE OF HEARING

Correction

In F. R. Doc. 44-15089, appearing on page 10594 of the issue for Wednesday, August 30, 1944, the seventh line of paragraph 5 should read "thereof the proposed assignment would".

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order Number 4009]

SOCIETA' ITALIANA PIRELLI AND COMPAGNIE INTERNATIONALE PIRELLI

In re: Patents and interests of Societa' Italiana Pirelli and Compagnie Internationale Pirelli in an agreement dated June 30, 1933 with General Electric Com-

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That Societa' Italiana Pirelli is a corporation organized under the laws of Italy with its principal place of business at Milan, Italy and is a national of a foreign country (Italy);

 That Compagnie Internationale Pirelli is a corporation organized under the laws of Belgium with its principal place of business at Brussels, Belgium and is a national of a foreign country (Belgium);

 That Trefileries et Laminoirs du Hayre is a business organization organized under the laws of France and is a national of a foreign country (France);

 That the property described in subparagraph 7a hereof is property of Societa' Italiana Pirelli;

5. That the property described in subparagraph 7b hereof is property of Trefileries et Laminoirs du Havre:

 That the property described in subparagraph 7c hereof is property of Societa Italiana Pirelli and Compagnie Internationale Pirelli:

7. That the property described as follows:
(a) All right, title and interest, including all accrued royalties and all damages and pr fits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

2,133,398; 10-18-38; Mario Puritz; Electric cable and method of repairing the same;

(b) All right, title and interest, including all accrued royalties and all damages and

profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

2,043,033; 6-2-36; Pierre T. Capdeville; Underground electric cable;

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Società Italiana Pirelli and Compagnie Internationale Pirelli, and each of them, by virtue of an agreement ated June 30, 1933 (including all modifications thereof and supplements thereto, including, but not by way of limitation, the supplemental agreement by letter dated April 12, 1934 to General Electric Company from Società Italiana Pirelli and Compagnie Internationale Pirelli, and the amendatory agreement by letter dated March 4, 1935 from General Electric Company to Società Italiana Pirelli) by and between General Electric Company, Società Italiana Pirelli and Compagnie Internationale Pirelli, which agreement relates, among other things, to United States Letters Patent No. 2,043,033,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Italy, Belgium, France):

tries (Italy, Belgium, France);
And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian,

[F. R. Doc. 44-13264; Filed, August 31, 1944; 10:38 a. m.]

[Vesting Order 4011]

ELIZABETH AKESSON

In re: Estate of Elizabeth Akesson, deceased; File D-17-370; E. T. sec. 7999. Under the authority of the Trading

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Andrew R. Bratter, 15 W. Kellogg Blvd., 328 Court House, St. Paul, Minnesota, Administrator, acting under the judicial supervision of the Probate Court of Ramsey County, Minnesota;

(2) Such property and interests are pay-

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Ger-

many, namely,

National and Last Known Address

Olga Streda, Germany.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Olga Streda, in and to the estate of Elizabeth Akesson, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13265; Filed, August 31, 1944; 10:39 a.m.]

[Vesting Order 4012]
GEORGE BAUER

In re: Estate of George Bauer, deceased; File: D-28-8617; E. T. sec. 10287.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Ger-

many, namely,

Nationals and Last Known Address

Therese Bauer, Germany.
Wilhelmina Konrad, Germany.
Maria Albert, Germany.
Helene Wohlmannstetter, Germany.
Therese Troemml, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Therese Bauer, Wilhelmina Konrad, Maria Albert, Helene Wohlmannstetter and Therese Troemml, and each of them, in and to the Estate of George Bauer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13266; Filed, August 31, 1944; 10:39 a. m.]

[Vesting Order 4013]

MARIE BAUR

In re: Estate of Marie Baur, deceased; File D-28-4286; E. T. sec. 7334.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm Strubel, Max Strubel and Anna Strubel, and each of them, in and to the Estate of Marie Baur, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy county, namely, Germany,

Nationals and Last Known Address Wilhelm Strubel, Offenburg, Germany, Max Strubel, Offenburg, Germany, Anna Strubel, Offenburg, Germany,

That such property is in the process of administration by Harold Henry, as Executor of the Estate of Marie Baur, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country. (Garman)

designated enemy country, (Germany);
And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL]

James E. Markham, Alien Property Custodian.

[F. R. Doc. 44-13267; Filed, August 31, 1944; 10:39 a. m.]

[Vesting Order 4014]

J. J. BRUTTY

In re: Estate of J. J. Brutty, deceased; File D-28-7707; E. T. sec. 8226.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Hoyt Hunter, Quinn, South Dakota, Administrator, acting under the judicial supervision of the County Court of Pennington County, South Dakota;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Ger-

many, namely,

National and Last Known Address

Margaret Nurgus, Germany.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and Having made all determinations and taken

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Margaret Nurgus in and to the estate of J. J. Brutty, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13268; Filed, August 81, 1944; 10:40 a.m.]

[Vesting Order 4015] SOPHIA GOODRIDGE

In re: Trust under the will of Sophia Goodridge for the benefit of Maria Bourbier; File No. D-28-2194; E. T. sec. 2952.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Union and New Haven Trust Company, as executor, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

(2) Such property and interests are payable or deliverable to or claimed by, a national of a designated enemy country,

Germany, namely,

National and Last Known Address

Maria Bourbier, Germany. And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Bourbler in and to the trust created under the Will of Sophia Godridge, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

No. 175-8

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13269; Filed, August 31, 1944; 10:40 a. m.]

[Vesting Order 4016] ISRAEL GROSSMAN

In re: Estate of Israel Grossman, deceased: File D-34-737: E. T. sec. 10101.

ceased; File D-34-737; E. T. sec. 10101.
Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Alexander S. Levine, Executor, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Hun-

gary, namely,

Nationals and Last Known Address

Eddie Kohn, Hungary. Frances Kohn, Hungary. Terris Kohn, Hungary.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Eddie Kohn, Frances Kohn and Terris Kohn, and each of them, in and to the Estate of Israel Grossman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

SEAL JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13270; Filed, August 31, 1944; 10:40 a. m.]

[Vesting Order 4017]

TED KANEKO

In re: Estate of Ted Kaneko, deceased; File D-39-17544; E. T. sec. 10299.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

 The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan,

National and Last Known Address Sei Kaneko, Japan.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sel Kaneko, in and to the estate of Ted Kaneko, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to

indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

JAMES E. MARKHAM, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-13271; Filed, August 31, 1944; 10:41 a. m.]

> [Vesting Order 4018] HUGO KOMPMAN

In re: Estate of Hugo Kompman, deceased; File D-28-8746; E. T. sec. 10624.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

- (1) The property and interests hereinafter described are property which is in the process of administration by John T. Dempsey, South La Salle Street, Chicago, Illinois, Administrator, acting under the judicial super-vision of the Probate Court of Cook County, Illinois:
- (2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy country, Germany,

Nationals and Last Known Address

Fritz Kompman, Czechoslovakia. Heinz Kompman, Germany.

And determining that-

(3) Fritz Kompman, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied country, Czechoslovakia, is a national of a designated enemy country, Germany; (4) To the extent that such nationals are

persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Kompman and Heinz Kompman, and each of them, in and to the estate of Hugo Kompman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

JAMES E. MARKHAM, [SEAL] Alien Property Custodian.

(F. R. Doc. 44-13272; Filed, August 31, 1944; 10:41 a. m.]

[Vesting Order 4019]

AGNES NUTTING LADD

In re: Estate of Agnes Nutting Ladd, deceased: File No. D-28-8681; E. T. sec.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

- (1) The property and interests herein-after described are property which is in the process of administration by The Greenwich Trust Company, as executor, acting under the judicial supervision of the Court of Probate, District of Greenwich, State of Con-necticut;
- (2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely.

National and Last Known Address

Anna Krauss, Germany.

And determining that-(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a

designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Krauss in and to the estate of Agnes Nutting Ladd, hazeanah

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-13273; Filed, August 31, 1944; 10:41 a. m.]

[Vesting Order 4020]

FRANK X. MANLE

In re: Estate of Frank X. Manle, deceased; File D-28-7846; E. T. sec. 8446. Under the authority of the Trading

with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by John T. Dempsey, 11 South LaSalle Street, Chicago, 3, Illinois, Administrator With the Will Annexed, acting under the judicial supervision of the Probate Court of Cook County, Illinois:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany,

Nationals and Last Known Address

Helene Frank, nee Maennle, Germany. Eufrosina Siebert, nee Maennle, Germany. Adelheid Maennle, Germany. Rosa Maennle, Germany. Karl Maennle, Germany.

Child or children, names unknown, of Helene Frank, nee Maennie, Eufrosina Sie-bert, nee Maennie, Adelheid Maennie, Rosa Maennie and Karl Maennie, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helene Frank, nee Maennle, Eufrosina Siebert, nee Maennie, Adelheid Maennie, Rosa Maennie, Karl Maennie, and child or children, names unknown, of Helene Frank, nee Maennle Eufrosina Siebert, nee Maennle, Adelheid Maennle, Rosa Maennle, Karl Maennle, and each of them, in and to the estate of Frank X. Manle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien P operty Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL]

JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-13274; Filed, August 31, 1944; 10:41 a. m.]

[Vesting Order 4035]

FRIEDRICH DOPPENSCHMITT

In re: Patent and interest of Friedrich Doppenschmitt in Agreements with Forstner Chain Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Friedrich Doppenschmitt is a resident of Pforzheim, Germany and is a national of a foreign country (Germany);
2. That the property described in subpara-

graph 3 hereof is the property of Friedrich Doppenschmitt;

That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof, is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the na-

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Propery Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL]

JAMES E. MARKHAM, Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Pat-

Patent Number, Date of Issue, Inventor and Title

2,079,386; 5-4-37; Karl Schofer, Germany; Method for the production of bands for ornamental and useful purposes;

(b) All interests and rights (including all royalties and other monies payable or held with espect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Friedrich Doppen-schmitt by virtue of agreements dated July 22, 1937 (including all modifications thereof and supplements thereto, if any) by and between the said Friedrich Doppenschmitt and Forstner Chain Corporation, which agreements relate, among other things, to United States Letters Patent Nos. 1,694,703 and 2.079,386.

[F. R. Doc. 44-13275; Filed, August 31, 1944; 10:38 a. m.]

[Vesting Order 4039]

FABBRICA ITALIANA VALVOLE RADIO ELET-TRICHE AND FABBRICA ITALINA MAGNETI MARELLI

In re: Interest of Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli in an agreement dated September 1, 1934 with Westinghouse Electric International Com-

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli are business organizations organized under the laws of and having their prin-cipal places of business in Italy, and are nationals of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli, and each of them, by virtue of an agreement dated September 1, 1934 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a letter agreement between the parties dated September 1, 1934) by and between Westinghouse Electric International Company and Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli, which agreement re-lates, among other things, to Patent No. 2,279,275,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by nationals of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national in-

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13276; Filed, August 31, 1944; 10:38 a. m.]

[Vesting Order 4043]

RENE J. L. MOINEAU AND/OR SOCIETE D'EXPLOITATION DES BREVETS MOINEAU

In re: Patents and Interests of Rene J. L. Moineau and/or Societe d'Exploitation des Brevets Moineau in an agreement between Rene J. L. Moineau and Robbins & Myers, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hene J. L. Moineau is a resident of Paris. France and is a national of a foreign country (France);

2. That Societe d'Exploitation des Brevets Moineau is a corporation organized under the laws of the Duchy of Luxembourg and is a national of a foreign country (Luxembourg);

3. That the property described in subparagraph 4 hereof is property of Rene J. L. Moineau and/or Societe d'Exploitation des Brevets Moineau;

4. That the property described as follows:
(a) All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and
Title

1,892,217; 12-27-32; Rene J. L. Moineau; Gear mechanism;

2,028,407; 1-21-36; Rene J. L. Moineau; Gear mechanism;

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Rene J. L. Moineau by virtue of an agreement dated October 1, 1936 (including all modifications thereof, and supplements thereto, if any) by and between Rene J. L. Moineau and Robbins & Myers, Inc., which agreement relates, among other things, to United States Letters Patent No. 1,892,217,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (France and Luxembourg);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13277; Filed, August 31, 1944; 10:39 a. m.]

[Vesting Order 3712, Amdt.]

FRANZ FUCHS AND LEOPOLDINE MÜELLER

In re: Real property, property insurance policies and a bank account owned by Franz Fuchs and Leopoldine Mueller.

Vesting Order Number 3712, dated May 29, 1944, is hereby amended as follows and not otherwise:

By inserting in the said Vesting Order Number 3712, immediately following each place where the name Leopoldine Mueller appears, the words "also known as Leopoldine Muller," except where the said name last appears in subparagraph 3-c of said Vesting Order Number 3712.

All other provisions of said Vesting Order Number 3712 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-13263; Filed, August 31, 1944; 10:41 a. m.]

OFFICE OF ECONOMIC STABILIZA-TION.

[Dir., Aug. 15, 1944; Amdt. 2]

International Assn. of Machinists, A. F. of L., Lodge No. 68

ORDER DIRECTING OFFICE OF PRICE ADMINISTRATION TO RESTRICT GASOLINE RATIONS

AUGUST 21, 1944.

This directive supplements that of August 15, 1944, as amended on August 18, 1944, directing the Office of Price Administration to take certain action in connection with the government's possession and operation of five machine shops in the San Francisco area under Executive Order No. 9463.

In view of Executive Order No. 9466, dated August 19, 1944, wherein the Secretary of the Navy is authorized to take possession and to operate 99 additional similar plants in the San Francisco area, I hereby direct the Office of Price Administration to take the action stated in my directives of August 15, 1944 and August 18, 1944, in connection with the government's possession and operation of these 99 plants.

FRED M. VINSON, Director.

[F. R. Doc. 44-13197; Filed, August 26, 1944; 11:46 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 944]

CONTRACTORS CONSTRUCTION CORP., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 944 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: It is ordered:

Regulation No. 120; It is ordered:
Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton

In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net such shipments are those established o. b. rail shipping point.

ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120. CONFRACTORS CONSTRUCTION CORP., 303 FOUNTAIN SQUARE BLDG., CINCINNAM, OHIG, CONTRACTORS CONSTRUCTION CORP. MINE, NO. 6 SEAM, MINE INDEX NO. 4070, PERBY COUNTY, OHIG, SURBISHRICT 5, SPERP MINE, PRICE CLASSIFICATION: HOCFING, FREIGHT ORIGIN DISTRICT, RAILROAD FUEL, PRICE GROUP NO. 102, RALL SHIPPING POINT: SHAWNER, OHIG

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	Rail shipment and railroad fuel	385	345	305	305	305	275			27.5	245		275

M. Little, Rubal Route #1, Waynespudge, Ohio, Little Mine, No. 5 Seam, Mine Index No. 4049, County, Ohio, Sur-Dist. 4, Strip Mine

					36	ize gro	Size group Nos.	1		
	1	63	65		2	9	7	00		
Truck shipment	988	350	335	320	320 280 255	280	255	245		

NEW JUSTICE COAL CO., NAVARRE, OHIO, NEW JUSTICE MINE, NO. 7 SEAM, MINE INDEX NO. 4667, TUSCARAWAS COUNTY, OHIO, SUB-DIST. 4, STRIP MINE, PRUE CLASSIPICATION: MIDDLE FREIGHT ORIGIN DISTRIPT, RAILROAD FUEL PRUE GROUP NO. 102, RAIL SHIPPING POINT: STILLWATER, (GOSHEN) OHIO

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Rail shipment and railroad fuel	330	325	300	285	320	286	250	240	280	235		8	
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SMITH COAL CO., BOX 14, NELSONVILLE, OHIO, SMITH MINE, NO., 7 SEAM, MINE INDEX NO. 4035, ATHERS COUNTY OHIO, SUB-DIST. 5, DEEP MINE, PRICE CLASSIFICATION. HOURING, FREIGHT ORIGIN DISTRICT, R., R., FURL PRICE GROUP NO. 103, RAIL SHIPTING POINT: FLOODWOOD (KIMBERLY) OHIO.

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Rail shipment and railroad fuel	This arder shall herome

This order shall become effective August 31, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681) 383,

Order No. 945 under maximum price

ADJUSTMENT OF MAXIMUM PRICES

CO., ET AL.

AVERY COAL

Issued this 30th day of August 1944 Acting Administrator. JAMES G. ROGERS, Jr.,

R. Doc. 44-13211; Filed, August 80, 1944; 3:58 p. m.]

and for the indicated uses and shipments as set forth herein. All are in district No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be Where such an amendment is issued for the ment makes no particular reference to a changed by an amendment issued after the effective date of this order. Where in which the mines involved herein are located and where the amendmine or mines involved herein, the prices herein operate named mines assigned the mine index ton. the maximum prices in cents per net numbers, the price classifications regulation No. 120: It is ordered: Producers identified district

with § 1340.210 (a) (6) of maximum price

ton f. o. b. rail shipping point. In cases where mines ship coals by river the point. However, producer is subject to tablished for rail shipment and are in cents per net ton f. o. b. river shipping the provisions of \$ 1340.224 and all other forth in such amendment for the price classifications tion of each mine is given by county and The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net prices for such shipments are those esprovisions of maximum price regulation of the respective size groups. be the prices set No. 120. State.

AVERY COAL CO., COTTONDALE, ALA., AVERY NO. 2 MINE, BROOFWOOD SEAM, MINE INDEX NO. 2029, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 1 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7,

The state of the s			Siz	Size Group Nos.	.80		
	1, 2, 3, 4, 5	1,2,3,4,5 6,8,10	7, 9, 11	7, 9, 11 12, 14, 15, 13, 19, 20, 21, 21	13, 19, 20,	17, 18	22,23
ment and railroad fuel	335	355	345	320	340	346	335

W, BENNETT WATSON, ALA., BENNETT MINE, FRATT SERM, MINE INDEX NO. 2010, SEPERSON COURT, ALEA KAIL SHIPPING POINT: MINERAL SPRINGS ALA., DEFF MINE, MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIP NEXYS AND RAILGOAD FURI. MAXIMUM TRUCK PRICE GROUP NO. 5

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345 349 385 COUNTY, ALA., RAIL SHIPPING POINT, JASPER, ALA., DERP MINE, MA SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7 345 155 語語 Rail shipment and railroad fuel.....

57 Stat. 566; Pub. Law Cong.; E.O. 9250, 7 F.R. 7871; This order shall become effective Au-383, 78th Cong.; E.O. E.O. 9328, 8 F.R. 4681) (56 Stat. 23, 765, gust 31, 1944.

JAMES G. ROGERS, Jr., Acting Administrator. Issued this 30th day of August 1944.

[F. R. Doc. 44-13212; Filed, August 30, 1944; 3:59 p. m.]

ac-

companying opinion, and in accordance

For the reasons set forth in

price classifications,

Order establishing maximum prices and regulation No. 120. Bituminous coal delivered from mine or preparation plant

ADJUSTMENT OF MAXIMUM PRICES KNOX PORCELAIN CORP. [MPR 136, Order 287]

Regulation 136, as amended. Machines and parts, and machinery services. Knox Porcelain Corporation, Docket No. SO-28-4196. Order No. 287 under Maximum Price

issued simultaneously herewith, and filed with the Division of the Federal Register, For the reasons set forth in an opinion

under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a under Maximum Price Regulation 136, as amended, It is ordered:

(a) The Knox Porcelain Corporation, 100 Mynderse Street, Knoxville, Tennessee, is authorized to increase its list prices for all items of electrical equipment that it manufactures, by multiplying by 108% its list prices duly in effect just prior to the issuance of this order. (The discounts, allowances, and terms of delivery duly in effect just prior to the issuance of this order shall remain in effect.)

(b) Purchasers of items of electrical equipment from the Knox Porcelain Corporation for resale, are authorized to add to their maximum prices for each class of purchasers duly in effect just prior to the issuance of this order, the following:

(1) The applicable dollars-and-cents amount of the increased costs due to the adjustment i maximum prices granted to the Knox Porcelain Corporation in paragraph (a); and

(2) The resellers' customary markup

on such increased cost.

(c) The Knox Porcelain Corporation shall notify its customers who buy its electrical equipment for resale, of the amount by which this order permits resellers to increase their maximum prices.

(d) All requests not granted herein are

denied.

(e) This order may be amended or revoked by the Administrator at any time.

This order shall become effective August 31, 1944.

Issued this 30th day of August 1944.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 44-13214; Filed, August 30, 1944; 3:59 p. m.]

[MPR 136, Order 288] PFAUDLER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 288 under Maximum Price Regulation 136, as amended, machines and parts, and machinery services. The Pfaudler Company, Docket No. 3136-478.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to \$1390.25a of Maximum Price Regulation 136, as amended; It is ordered:

(a) The Pfaudler Company, 89 East Avenue, Rochester, New York, shall determine its maximum prices for the items of dairy and processing equipment listed below by multiplying the maximum price to each class of purchasers, duly in effect just prior to the issuance of this order, by the following applicable per-

centage:

Item: Percen	tage
Steel dairy storage tanks	103
Steel pasteurettes	106
Glass pasteurettes	105
Hemispherical kettles	105
Glass Lo-Vat pasteurizers	103
Truck and trailer tanks	119

(b) Purchasers from the Pfaudler Company who buy for resale the items listed in paragraph (a) shall determine their maximum prices by adding to the maximum price to each class of purchasers duly in effect just prior to the issuance of this order, the dollars-and-cents amounts by which their costs have increased due to the adjustment in maximum prices granted herein to the Pfaudler Company.

(c) The Pfaudler Company shall notify those customers who buy for resale the items listed in paragraph (a), of the amounts by which this order permits resellers to increase their maximum

prices.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

This order shall become effective August 31, 1944.

Issued this 30th day of August 1944.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 44-13215; Filed, August 30, 1944; 3:59 p. m.]

[MPR 188, Rev. Order 1513]

GALVAN MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 1513 under \$ 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Authorization of maximum prices for rain water cut-offs for the Galvan Manufacturing Company of New Albany, Indiana.

Order No. 1513 under \$ 1499.158 of

Order No. 1513 under \$1499.158 of Maximum Price Regulation No. 188 is redesignated Revised Order No. 1513 and is revised and amended to read as fol-

lows.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, It is hereby ordered, That:

(a) The Galvan Manufacturing Company, New Albany, Indiana, may sell, offer to sell and deliver the following types of rain water cut-offs at the maximum net prices indicated:

 26-gauge:
 \$6.82

 3 inch
 \$6.82

 4 inch
 9.72

 5 inch
 18.19

 6 inch
 21.08

28-g	auge:	
	inch	\$6.50
4	inch	9.44
5	inch	17.80
6	inch	20.52

(b) All jobbers of the Galvan Manufacturing Company may sell, offer to sell and deliver the following types of rainwater cut-offs at the maximum net prices indicated:

26-8	auge:	
3	inch	\$8.85
4	inch	12.65
5	inch	23.65
6	inch	27.40
28-8	auge:	
3	inch	8.45
4	inch	12.25
5	inch	23.15
6	inch	26.70

(c) This Revised Order No. 1513 may be revoked or amended by the Price Administrator at any time.

(d) This Revised Order No. 1513 shall become effective August 31, 1944.

Issued this 30th day of August 1944.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 44-13213; Filed, August 30, 1944; 3:58 p. m.]

[MPR 64, Order 156]

A. & J. MFG. Co.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 156 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of a magazine type coal-heater manufactured by A & J

Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and in accordance with section 11 of Maximum Price Regulation No. 64, It is ordered:

(a) Any wholesale distributor may sell and deliver to retailers the Model No. 600 magazine type coal circulating heater manufactured by A & J Manufacturing Company, Gadsden, Alabama, at prices no higher than those set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
600	\$54, 10	\$55, 60	\$58.50	\$62.50

These prices are f. o. b. distributors' cities.

(b) Any person, other than a mail order house, may sell and deliver at retail, the Model No. 600 magazine type coal circulating heater manufactured by A & J Manufacturing Company, Gadsden, Alabama, at prices no higher than set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
600	\$86, 50	\$88. 95	\$93, 50	\$99, 95

(c) Any mail order house may sell and deliver at retail the Model No. 600 magazine type coal circulating heater manufactured by A. & J. Manufacturing Company, Gadsden, Alabama, at prices no higher than those specifically authorized in writing by the Office of Price Administration, Washington, D. C., upon application.

(d) At the time of or prior to the first invoice for a sale of the Model No. 600 coal heater described above, after the effective date of this order, A & J Manufacturing Company and each wholesale distributor shall notify the purchaser of the maximum prices and conditions set by this order for resales by the purchaser. In addition, A & J Manufacturing Company shall, before delivering any Model No. 600 coal heater to a wholesale distributor, or to a retailer other than a mail order house, attach securely to each heater a tag or label which plainly states the maximum retail ceiling prices established by this order for sales in each zone. This tag or label shall be attached to the front of the heater.

(e) Any mail order house selling the Model No. 600 coal circulating heater through a retail store must, before offering it for sale, attach securely to the front of the heater a tag or label which plainly states the maximum retail ceiling price established by the Office of Price Administration for sales by the seller in

the particular zone.

(f) For the purpose of this order, Zones 1, 2, 3, and 4 shall comprise the following states:

Zone 1: Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina, North Carolina.

Zone 2: Wisconsin, Michigan, Iowa, Missouri, Arkansas, Louisiana, Illinois, Indiana, Ohio, Pennsylvania, New York, West Virginia, Virginia, Maryland, New Jersey, Delaware, Connecticut, Rhode Island, Vermont, New Hampshire, Massachusetts, Florida, District of Columbia.

Zone 3: Minnesota, North Dakota, South Dakota, Nebraska, Colorado, Kansas, Oklahoma, Texas, New Mexico, Maine. Zone 4: Arizona, Utah, Wyoming, Mon-

Zone 4: Arizona, Utah, Wyoming, Montana, Idaho, Nevada, California, Oregon, Washington.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order may become effective on the 1st day of September 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13299; Filed, August 31, 1944; 11:55 a. m.]

[MPR 136, Rev. Order 216] BENDIX AVIATION CORP.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 216 under Maximum Price Regulation 136, as amended.

Machines and parts, and machinery services. Zenith Carburetor Division of the Bendix Aviation Corporation, (docket No. 3136-392).

Order No. 216 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 216 under Maximum Price Regulation 136, as amended, and is revised and amended to read as follows:

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; It is ordered:

(a) The maximum prices for sales by all persons of the following carburetor models manufactured by the Zenith Carburetor Division of the Bendix Aviation Corporation, Detroit, Michigan, shall be determined by deducting from the following list prices all discounts, allowances and other deductions that the seller had in effect to a purchaser of the same

class on March 31, 1942.

R-29	Mødel	Outline	List price per unit
R-29			-
OH 425068 7.00 U C 428041 10.75 30B V 11 9987 14.05 8F - 2 A - 18702 (F - 5598) 19.90 957 14.05 8F - 2 A - 18702 (F - 5598) 19.90 10/187 9749 6.70 22.8 \	TU4C		\$16.65
30B W11	R-20	9150	
30B W11	UC7	420068	7.00
\$\frac{\text{SF}_2}{22,\text{X}\text{Ns}}\$, 9536 \text{20.06}{0.06}\$ \text{20.06}\$ \text{20.06}\$ \text{20.06}\$ \text{20.06}\$ \text{20.06}\$	30R W11		
22 X S. 9536 20.00 19 X 7 9749 6.70 16 1 7 9749 6.70 50 B3 9452 4.25 U C - 76 425041 11.40 SF - 2 380022 21.01 16 1 X 7 7078 11.22 16 1 X 7 9707 6.88 22 A X 8 9538 21.22 28 A V 11 9778 8.66 63 A W 11A (8-750) (9763) 18.22 22 A X 8 9538 21.22 28 A V 11 9778 8.66 61 S 1.7 10085 20.00 63 A W 12R 10094 26.05 30 B W 11R 9994 22.05 70 H - 96 17.10 17.10 K 6A 7433 21.15 63 A W 11 9786 16.54 0 H - 96 A - 18020 6.22 256 Y 6002 19.50 256 Y 6002 19.50 256 Y 6002	SF-2	A-18702 (F-5598)	19.90
Second	22 KX8	9536	20.90
161J7 9705 7, 55 59B3 9452 4, 25041 11, 40 SF-2 380022 21, 00 11, 44 SF-2 7078 11, 25 11, 25 TU4TH 9814 8, 77 11, 25 TC4TH 9814 8, 77 6, 69 22A XS 9538 21, 25 22 28A V11 9778 8, 6 66 63A W11A (8-750) (9763) 18, 25 61S L7 10085 20, 90 61S L7 10094 26, 05 30B W11R 9994 22, 05 30B W11R 9994 22, 05 63A W11 9790 17, 10 K5A 7433 21, 15 63A W11 9786 16, 50 0H-96 A-18020 6, 20 83W1 965 27, 90 256 Y 6002 19, 50 K5A C 6817 19, 20 K5A C 6817 19, 20 1N186EX1 7031 13, 44 K5-1 7375 <td< td=""><td>18/1X7</td><td></td><td></td></td<>	18/1X7		
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$\begin{array}{cccccccccccccccccccccccccccccccccccc$	61M2AEX7	9738	
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	28AV11	9798	8.05
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	28BVX9R	(8-711) (9441)	19.33
124½ 3200 9,11 TU4CD 9549 16,5 UR-¾ (F-8279) (A14770) 9,8 461X7 (8-847) (9752) 6,6	22A X8C	9008	20.70
124½ 3200 9,11 TU4CD 9549 16,5 UR-¾ (F-8279) (A14770) 9,8 461X7 (8-847) (9752) 6,6	62 A W 11	(8-750) (9763)	16.00
UR-3/4 (F-6279) (A14770) 9.8 161X7 (S-847) (9752) 6.6	1241/2	32000	9, 13
161 X 7 (8-847) (9752) 8. 6	TU4CD	9549	16. 58
60 A W11D 0788 17 0	UR-%	(F-6279) (A14770)	9.8
	63AW11B	9786	17.0
F343v1B 10.3	F343x1B		10.3
161J7 9706 7.3	161J7	9706	7.3. 12.2
	124¼TOP		12.2
			7.9
4575 (8-108) (6816) 30, 9	4575	(S-108) (6816)	30, 90
62AJ10 (S-480) (9841) 30, 9 62AJ10 (S-480) (9841) 15, 7	62AJ10	(S-480) (9841)	15. 70 8. 2
28BV10	28BV10	1 9068	8.2

Model	Outline	List price per unit
29BW12	10086	25, 65
28AV11		9, 05
28A V11	9472	9, 05
455		20, 65
28BV11R	9633	21, 70
161 X 7		6, 70
30BW11		16. 25
28BV10	9604	9, 80
28BV10TU3½XV	8358	14, 10
UR-%		14.05
UR-8/		10, 45
TU3YV	8798	9, 10
455	8705	19, 15
UR-%		10, 35
UR-%		10, 85
UR-%		11,00
UC-1/8		11, 33
SF-1		16.13
UR-%		12,03
UR-%		11, 53
UC-%		10.80
161-7	(S-632) (10034)	7, 90
UR-34		12, 15
UC-%		10, 50
R20T		8, 90
R20T		8, 70
62AXJ10	(S-496) (8981)	12.78
UR-%		13, 16
UR-%		13. 2
61A5		8, 57
63AWE10		16,70
62A9		14. 25
63A W14		35, 60
28BV12		
28BV11		
62A X9		

(b) The Zenith Carburetor Division of the Bendix Aviation Corporation shall notify its customers who buy carburetor models for resale of the method that resellers must use to determine their maximum prices for the carburetor models covered by this revised order.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective September 1, 1944.

Issued this 31st day of August 1944.

JAMES C. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13298; Filed, August 31, 1944; 11:55 a. m.]

[RMPR 161, Order 50]

AASEN AND MCCUE, ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 50 Under § 1381.156 of Revised Maximum Price Regulation No. 161. West Coast Logs. Overtime additions.

Pursuant to the provisions of § 1381.-156 of Revised Maximum Price Regulation No. 161—West coast logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order No. 9250 and 9328, it is hereby ordered:

(a) New authorizations. The following persons being on a 54-hour week may add to the maximum prices of all logs produced and sold by them \$1.50 per thousand feet, log scale, on sales made on and after the effective date indi-

cated:

Name, Address, and Effective Date

Aasen & McCue, Coquille, Oregon, July 25, 1944.

Jay-Kay Logging Co., Leaburg, Oregon, August 10, 1944.

(b) New authorizations. The following persons being on a 60-hour week may add to the maximum prices of all logs produced and sold by them \$2.00 per thousand feet, log scale, on sales made on and after the effective date indi-

Name, Address, and Effective Date Cooston Logging Co., Marshfield, Oregon, July 18, 1944.

(c) Change of status. The following persons who have heretofore been authorized to make specific additions are now authorized to make the following additions, since the number of hours maintained has been changed, effective on the date indicated:

Name and address	New num- ber of hours	Addi- tions per- mit- ted	Effective date	
Manthe Logging Co., Long- view, Wash Ray Hanson Logging Co.,	60	\$2.00	July 31, 1944	
Rt. 1, Box 48, Nehalem, Oreg Byerley Logging Co., 718	48	1,00	Dec. 31, 1943	
Pacific Bldg., Portland, Oreg E. H. Gehrke Jr., Logging	48	1,00	Oct. 1, 1943	
Co., Marine Drive, Port Angeles Wash	48	1.00	July 1, 1944	

(d) Cancellations. The following authorizations are cancelled, and no additions are permitted on sales made on and after the effective date indicated:

Name, Address and Effective Date

Picco Logging Co., Montesano, Washington, January 1, 1944.

Valentin Logging Co., Rose Lodge, Oregon, November 1, 1943.

Rose Brothers, Marshfield, Oregon, July 1,

Issued this 31st day of August 1944.

Effective this 1st day of September 1944.

> JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13296; Filed, August 31, 1944; 11:54 a. m.

[MPR 188, Order 8 Under Order 1052] FORT SMITH CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 8 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by Fort Smith Chair Company.

For the reasons set forth in an opinion and issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, It is ordered:

(a) This order permits the manufacturer, Fort Smith Chair Company, North Third and J Streets, Fort Smith, Arkansas, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052) established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) Manufacturer's maximum prices. Fort Smith Chair Company may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 3%. of its maximum prices for such sales as established in Order No. 1052. The permitted adjustment of 3% may be made only if separately stated.

(2) Maximum prices of purchasers for resale. Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-andcents amount of the adjustment charge allowed by this order No. 8 for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at

any time.

This order shall become effective on the 1st day of September, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13304; Filed, August 31, 1944; 11:59 a. m.]

> [RMPR 436, Order 16] CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 16 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of

crude petroleum from:

Hewitt Pool, Carter County, Oklahoma. For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436; It is hereby ordered:

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Amount of increase (dollars per 42gallon barrel) Oklahoma, Carter County, Hewitt Pool_ \$0.35

(b) This order may be revoked. amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13300; Filed, August 31, 1944; 11:56 a. m.]

> [RMPR 436, Order 17] CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 17 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising Maximum price of crude petroleum from:

Canfield Pool, Pawnee County, Oklahoma. Huffman Pool, Pottawatomie County, Okla-

Lookout Pool, Osage County, Oklahoma, Piggot Pool, Osage County, Oklahoma. Wilson Pool, Pawnee County, Oklahoma. Wood Pool, Creek County, Oklahoma. Maud Pool, Wabash County, Illinois. Oatesville Pool, Pike County, Indiana. West Princeton Pool, Gibson County, Indiana.

Bowman Pool, Pike County, Indiana. Atyeo Pool, Lyon County, Kansas. South Adams Pool, Arenac County, Michi-

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation

No. 436; It is hereby ordered: (a) That nothwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person puchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

of inc	rease
(dolla	rs per
42-0	allon -
	rrel)
Pawnee County, Canfield Pool	All the second
Pottawatomie County, Huffman Pool.	. 35
Osage County, Lookout Pool	. 85
Osage County, Piggot Pool	. 25
Pawnee County, Wilson Pool	. 25
Creek County, Wood Pool	. 25
Illinois:	
Wabash County, Maud Pool	. 25
Indiana:	
	0.0
Pike County, Oatesville Pool	. 85
Gibson County, West Princeton	
Pool	. 85
Pike County, Bowman Pool	. 85
Kansas:	
Lyon County, Atyeo Pool	, 35.
Michigan:	
	OF
Arenac County, South Adams Pool	. 85
(b) This order may be rev	harlos
(b) Illis order may be re-	oneu,

Amount

amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 44-13297; Filed, August 31, 1944; 11:54 a. m.]

Regional and District Office Orders. [Jacksonville Order G-2 Under MPR 426, Revocation]

ICEBERG LETTUCE IN JACKSONVILLE, FLA., DISTRICT

Revocation of Order No. G-2 under section 2 (b) of Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than trucklot quantities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Jacksonville District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, issued by the Administrator of Region IV of the Office of Price Administration, It is hereby ordered, That Order No. G-2 under section 2 (b) of Maximum Price Regulation No. 426, as amended, issued October 13, 1943, by the District Director of the Jacksonville District Office be, and it hereby is, revoked, subject to the provisions of Supplementary Order No. 40, effective April 2, 1943 (8 F.R. 4325).

This order shall become effective August 24, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R.

Issued August 23, 1944.

C. W. BUTLER, District Director.

[F. R. Doc. 44-13200; Filed, August 30, 1944; 2:22 p. m.]

No. 175-9

[Richmond Order G-2 Under MPR 426] ICEBERG LETTUCE IN RICHMOND, VA., DISTRICT

Order No. G-2 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than trucklot quantities.

By reason of changes in the underlying regulation, Maximum Price Regulation Number 426, as amended, and under the authority vested in the District Director of the Richmond District Office of the Office of Price Administration by section 2 (b) of the said regulation and by Regional Delegation Order Number 16. It is hereby ordered. Subject to the provisions of Supplementary Order Number 40, issued April 3, 1943 (8 F.R. 4325):

Order Number G-1 issued October 18, 1943 under Maximum Price Regulation Number 426, as amended, is revoked.

This order shall become effective as of August 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426; RDO

Issued this 24th day of August 1944.

J. FULMER BRIGHT. District Director.

(F. R. Doc. 44-13201; Filed, August 30, 1944; 2:21 p. m.]

[Region IV Order G-20 Under RMPR 122] SOLID FUELS IN NEW BERN, N. C.

Order No. G-20 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of New Bern, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) What this order does. (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.
(2) Paragraph (c) of this order con-

tains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) What this order prohibits. Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any typing agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) Price schedule, consumer sales.
(1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the city of New Bern, North Carolina. Extra charges are specified for deliveries beyond the corporate limits of said town.

(i) "Direct delivery or domestic" basis.

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 7

Size	Per ton 2,000 lb.	Per 1/2 ton, 1,000 lb.	Per 1/4 ton, 500 lb.
Egg (size group No. 2), top size larger than 3", bottom size no limit, in price classifications A- F Screened or domestic run-of-mine	\$12, 25	\$6. 38	\$3, 31
(size group No. 6), in price classifications A and B. Pea stoker (size group No. 5), top size not exceeding 34", bottom size smaller than 34", in price classification A, and straight run of mine (size group No. 7), larger than 14" x 0 in price classifications A and B.	10. 15 9. 55	5, 33	2, 79

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Lump (size group No. 1), bottom size larger than for screened run- of-mine and egg, top size larger than 3", bottom size no limit, in			An 10
price classifications A, B and C.	\$11, 50	\$6.00	\$3, 13

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Egg (size group No. 5), top size 6" to larger than 5", bottom size 3" to larger than 2" and top size larger than 6", bottom size 2" and smaller, in price classifica-	\$11, 20	\$5, 85	\$3, 05
tions F-K Egg (size group No. 6), top size 6" to larger than 5", bottom size 2" and smaller, and top size 3" but not exceeding 5", bottom size 3" to larger than 2", in price classi-	\$11. 20	\$0.00	\$0.00
fleations E-L Stoker (size group No. 10), double screened, top size 11/4" and smaller, bottom size smaller	10. 10	5, 30	2. 78
than 1¼", in price classifications B-G	9. 95	5. 23	2. 74

"Glen Rogers" briquette._____\$13.55 \$7.03 \$3.64 (2) Maximum authorized service charges and required deductions—(i) Carry from curb. If a buyer requests

more than 50¢ per ton therefor. (ii) Carry up or down stairs. buyer requests such service, the dealer may charge not more than \$1.00 per ton therefor.

such service, the dealer may charge not

(iii) Yard sales. On deliveries to other dealers at the yard, the dealer must reduce the price by \$1.00 per ton.

(iv) Sacked coal. On deliveries of sacked or bagged coal, a dealer may not charge more than 65¢ per 100 lbs. not

including sack.

(v) Treated coals. If a dealer's supplier has subjected the coal to oil or calcium chloride treatement to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoice.

(vi) Discounts. On deliveries of five tons or more dealer must reduce the

price specified by 50¢ per ton:

(vii) Delivery zone. The dealer may make no extra charge for delivery within the corporate limits of New Bern, North Carolina. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile with a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(viii) Sales tax. The North Carolina State sales tax of 3% may be added to the prices established by this order.

(ix) Credit. No additional charge in excess of the prices listed in this schedule may be made for the extension

(d) Ex Parte 148 freight rate increase; transportation tax-(1) The freight rate increase. Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) The transportation tax. Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be col-lected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof. See Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) Addition of increases in supplier's prices prohibited. The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) Power to amend or revoke. This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Re-

gional Administrator of Region IV.

(g) Petitions for amendment. Any
person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the rlace of filing specified therein.

(h) Applicability of other regulations—(1) Licensing and registration. Every dealer subject to this Order is subject to the licensing and registration provisions of Sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) Effect of this order on Revised Maximum Price Regulation 122. To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) Records and reports. Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the change made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) Posting of maximum prices; sales slips and receipts. (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) Enforcement. (1) Persons violating any provisions of this order are subject to the civil and criminal penalties. including suits for treble damages, provided for by the Emergency Price Control

Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Raleigh District Office of the Office of Price Administration.

(1) Definitions and explanations. When used in this order the term:
(1) "Person" includes an individual,

corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, and other government, or any agency or sub-division of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be con-

strued accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette

plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's

storage space.
(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge there-from when made in the course of "direct

delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place

other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal

Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

This order shall become effective August 23, 1944.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 18, 1944.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 44-13198; Filed, August 30, 1944; 2:23 p. m.]

[Region IV Order G-22 Under RMPR 122] SOLID FUELS IN WILSON, N. C.

Order No. G-22 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for the sale of solid fuels in the City of Wilson, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) What this order does. (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph

(b) What this order prohibits. Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum

i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order:

(ii) Using any typing agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) Price schedule; consumer sales.
(1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of Wilson, North Carolina. Extra charges are specified for deliveries beyond the corporate limits of said town.

(i) "Direct delivery or domestic" basis.

Low Volatile Bituminous Coals From District Nos. 7 and 8

Size	Per ton, 2,000 lb	Per ½ ton, 1,000 lb.	Per 34 ton, 500 lb.
Egg, top size larger than 3" bottom size no limit, in price classifica- tions A=C, and from mine index No. 391, the No. 2 mine of the Raven Red Ash Coal Co. in Dis- trict No. 8. Stove, top size 3" to larger than 1¼", bottom size smaller than 3", in price classification A. Stoker pea, top size not exceeding	\$11, 40 10, 60	\$5. 95 5. 55	\$3.35 8,15
34", fortom size smaller than 34", in price classification A Screened run-of-mine price classifications A-D	9.05	4. 78	2.76 2.75

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

	THE PERSON		
Egg, top size 6" to larger than 3", bottom size 4" to larger than 3", in price classification E, size Group 3	\$10.60	\$5, 55	\$3, 15
Group 3. Block, bottom size larger than 5" in price classification O; lump, bottom size 5" to larger than 3"			inen.
in price classifications E-O; and ehunk, top size 6" to larger than			
5", bottom size 3" to larger than 2" from mine index No. 370, Point Lick #4 Mine of the Hat-			
field-Campbell Creek Coal Co Block, coal from mine index No.	10. 15	5, 33	3.04
339, Blue Diamond Coal Co., size group Nos. 1, 2, and 3	11. 20	5, 85	3. 30
bottom size 2" and smaller, and top size 3" and larger but not ex-	OTANI		
ceeding 5", bottom size 3" to larger than 2", in price classifica- tions E-O, size groups No. 5 and			1 State
Stoker from mine Index No. 439,	2.60	5. 05	2.90
Dixport Coal Co., size group No. 10. Stoker, double screened, top size	9. 60	5. 05	2, 90
not exceeding 1¼", bottom size less than 1¼" in price classifica-	0.00	4 05	0.00
Straight run-of-mine in price classi-	9, 20	4. 85	2.80
fications A and B	8.95	4. 73	2.74

BRIQUETTES

Briquettes (prepared from low volatile bituminous coal) \$11.40 \$5.95 \$3.35

(2) Maximum authorized service charges and required deductions.—(i) Yard sales. On deliveries to consumers at the yard, the dealer must reduce the price by 50¢ per ton. On deliveries to other dealers at the yard, the dealer must reduce the price by \$1.00 per ton.

(ii) Sacked coal. On deliveries of District No. 7 Egg and Stove Coal, and on sales of Districe No. 8 Egg Coal in Size Group No. 3, dealer may not charge more than 60¢ per 100 lbs. not including sack. On deliveries of District No. 8 Egg Coal in Size Group Nos. 5 and 6, dealer may not charge more than 50¢ per 90 lbs. not including sack.

(iii) Quantity discount. On sales of coal in carload lots, where the dealer handles the coal, he may not charge more than mine price, plus freight, plus \$1.75 per ton.

(iv) Treated coal. If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoice.

(v) The dealer may make no extra charge for delivery within the corporate limits of Wilson, North Carolina. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile with a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other items on the invoice.

(vi) Sales tax. The North Carolina State sales tax of 3% may be added to the prices established by this order.

(vii) Credit. No additional charge in excess of the prices listed in this schedule may be made for the extension of credit.

(d) Ex Parte 148 freight rate increase: transportation tax—(1) The freight rate increase. Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) The transportation tax. Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof. See Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) Addition of increases in supplier's prices prohibited. The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) Power to amend or revoke. This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) Petitions for amendment. Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by

him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of

filing specified therein.

(h) Applicability of other regulations-(1) Licensing and registration. Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) Effect of this order on Revised Maximum Price Regulation No. 122. To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No.

122.

- (i) Records and reports. Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.
- (1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing
- (j) Posting of maximum prices; sales slips and receipts. (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his rices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) Enforcement. (1) Persons violating any provisions of this order are subject to the civil and criminal penalties. including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Raleigh District Office of the Price Administration.

(1) Definitions and explana When used in this order the term: explanations.

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the fore-

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be con-

strued accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a

briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buy-

er's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place

other than his truck.
(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 73, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal

Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23. 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

This order shall become effective August 23, 1944.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 18, 1944.

GEORGE D. PATTERSON, Jr., Acting Regional Administrator.

[F. R. Doc. 44-13199; Filed, August 30, 1944; 2:23 p. m.]

[Region VI Order G-104 Under 18 (c)]

FLUID MILK IN BROWN COUNTY, WIS.

Order No. G-104 under § 1499.18 (c) of the General Maximum Price Regulation. Adjusted rate for milk haulers in Brown County, Wisconsin.

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, It is hereby ordered:

(a) The maximum rate for the transportation of milk or cream within or into Brown County, Wisconsin for delivery to dairies, creameries, milk stations or processing plants, condenseries, or other points of concentration located within said county, shall be \$0.17 per hundred pounds of milk or cream so transported by any milk hauler (as defined in paragraph (b) hereof).

(b) As used in this order, a milk hauler means a carrier, other than a common carrier, engaged in the service of transporting milk or cream from producers for delivery as set forth in paragraph (a)

hereof.

(c) No provision of this order shall be so construed as to authorize any purchaser in the course of trade or business to pay a larger proportion of inbound transportation costs incurred in the delivery or supply of fluid milk or cream. intended for human consumption as such, than he paid on such deliveries during January 1943.

(d) Order No. G-55 "Adjusted Prices for Owner-Operator Milk Haulers in Region VI" shall henceforth be inapplicable to the services of transporting milk or cream within or into Brown County, Wisconsin for delivery within said county.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1944.

RAE E. WALTERS. Regional Administrator.

[F. R. Doc. 44-13202; Filed, August 30, 1944; 2:21 p. m.l

|Spokane Order 20-B Under MPR 426|.

GRAPES IN SPOKANE, WASH., DISTRICT

Order No. 20-B under section 8 (a) (7), of Maximum Price Regulation No. 426, as amended. Grapes (Table).

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; It is hereby ordered:

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f) the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Grapes (table).(b) Basing Point: Bakersfield, Calif.
- Wholesale receiving point: Lewiston, (c) Idaho.
- (d) Method of transportation: Carlot to Spokane-1. c. l. to Lewiston.
- (e) Freight rate by method (d) from basing point to wholesale receiving point; \$1.51 per cwt.

Per unit of sale per lug of 28 lb.

- (f) Freight charge by method (d) -- \$0.47 (g) Basing point cost _____ 1.85
- (h) Protective services_.
- (1) Maximum price in wholesale receiving point (sum of "f", "g" and "h") ______ 12.36

1 Per 1b. \$0.0843.

Note: See Amendment 46 to MPR 426 for full particulars.

This order shall become effective August 26, 1944, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.: E.O. 9250, 7 F.R. 7871, E.O. 9328,

Issued this 21st day of August 1944.

DAVE S. COHN. District Director

[F. R. Doc. 44-13203; Filed, August 30, 1944; 2:22 p. m.]

[Spokane Order 28-B Under MPR 426] PRUNES IN SPOKANE, WASH., DISTRICT

Order No. 28-B under section 8 (a) (7), of Maximum Price Regulation No. 426, as amended. Prunes (Italian).

For the reasons set forth in an opinion issued simultaneously herewith, and under authorit; vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, It is hereby ordered:

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

- (a) Commodity: Prunes, Italian.
- (b) Basing point: Yakima, Wash.
- (c) Wholesale receiving point: Lewiston, Idaho.
- (d) Method of transportation: L. c. 1.
- (e) Freight rate by method (d) from basing point to wholesale receiving point: \$0.79 per cwt.

Per unit of sale per lug of 30 lbs.

- (f) Freight charge by method (d) ____ \$0.25
- (g) Basing point cost_____ 1.95 (h) Protective services_____
- (i) Maximum price in wholesale receiving point (sum of "f", "g" and "h") _____ 1 2. 20

¹ Per 1b., \$0.0734.

This order shall become effective August 26, 1944, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328,

Issued this 21st day of August 1944.

DAVE S COHN District Director.

[F. R. Doc. 44-13204; Filed, August 30, 1944; 2:22 p. m.|

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-939]

MISSISSIPPI POWER & LIGHT Co. and ELECTRIC POWER & LIGHT CORP.

SUPPLEMENTAL ORDER GRANTING APPLICA-TION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of August A. D., 1944.

Electric Power & Light Corporation, a registered holding company, and its sub-sidiary Mississippi Power & Light Company, a public utility company, having filed a joint application and declaration, with amendments thereto, under sections 6 (a) and 7 with respect, among other things, to the issue and sale by Mississippi Power & Light Company, pursuant to the competitive bidding provisions of Rule U-50, of \$12,000,000 principal amount of First Mortgage Bonds to mature in 1974; and

The Commission having, by order dated August 21, 1944, granted said application and permitted said declaration to become effective, except as to the price to be paid for said bonds, the redemption prices thereof, the interest rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transactions, as to which matters jurisdiction was reserved; and

Mississippi Power & Light Company having filed a further amendment to the application and declaration, in which it is stated that in accordance with the permission granted by the said order of the Commission dated August 21, 1944, it offered such bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Price to company		Cost to com- pany
White Weld & Co., and Shields & Co. Blythe & Co. Halsey Stuart & Co. W. C. Langley & Co. Kuhn Loeb & Co.	103, 52 103, 2699 103, 125 102, 9179 102, 5097	Percent 33% 33% 33% 33% 33%	

The said amendment having further stated that Mississippi Power & Light Company has accepted the bid of White Weld & Co. and Shields & Co. for the bonds, as set out above, and that the bonds will be offered for sale to the public at a price of 104.4877 resulting in an underwriters' spread of 0.9677; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses incurred in connection with the proposed transactions:

nection with the proposed transactions; It is ordered, That the jurisdiction heretofore reserved over the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon, the underwriters' spread and its allocation and all legal fees and expenses incurred in connection with the proposed transactions be, and the same hereby is released and said application and declaration, be and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-13283; Filed August 31, 1944; 11:47 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION
AND PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pa., on the 29th day of August 1944.

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, having heretofore filed an application-declaration, and amendments thereto, pursuant to sections 6 (b) and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, with respect to the refinancing of 220,078 shares of its \$100 par value cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,-715 shares of the $5\frac{1}{2}\%$ series) by means of a program whereby (1) the holders of such stock have been afforded the opportunity to exchange each such share for one share of \$100 par value 5% cumulative preferred stock of the company, plus a cash payment in an amount representing the difference between the respective redemption prices of the stocks outstanding and \$102, with proper adjustments for accrued dividends upon the stock to be surrendered and upon the shares to be issued, (2) any shares not surrendered by way of exchange will be called for redemption at redemption prices, and (3) such number of the 220,078 shares of the \$100 par value 5% cumulative preferred stock as will not be issuable by way of exchange will be issued and sold either pursuant to the competitive bidding requirements of Rule U-50 or at private sale if an exception be granted from the competitive bidding requirements of such rule; and

The Commission having by orders dated June 29, 1944, and August 3, 1944, granted and permitted such application-declaration and amendments thereto, to become effective, pursuant to section 6 (b) and 12 of the act, subject to the reservation of jurisdiction with respect to certain matters including the issuance and sale of such number of the 220,078 shares of the \$100 par value 5% cumulative preferred stock as are not issuable by way of exchange; and

Northern Indiana Public Service Company having, on August 25, 1944, filed a further amendment to its application-declaration whereby it proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, such number of the 220,078 shares of its \$100 par value 5% cumulative preferred stock as are not issuable by way of exchange;

A public hearing having been held with respect to such amendment, and the Commission having considered the record and observing no basis for imposing any terms or conditions with respect thereto, except such as relate to the requirements of Rule U-50;

It is ordered, That said amendment to the application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24 and to the requirements of paragraphs (b) and (c) of Rule U-50.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-13284; Filed, August 31, 1944; 11:47 a. m.]

[File No. 70-819]

INDIANA GAS UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Security and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the

29th day of August 1944.

Associated Electric Company ("Aelec"), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the acquisition by Aelec of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, and the subsequent dissolution of, Utilities; and

The Commission having, on March 9, 1944, after notice and hearing, filed its memorandum opinion and order (Holding Company Act Release No. 4934) granting the application and permitting the declaration to become effective; and

The Commission having, on June 22, 1944, upon the request of applicants-declarants, extended the time for consummating said transaction to and including August 31, 1944; and

Applicants-declarants having, on August 22, 1944, advised the Commission that the parties have been unable to consummate the transaction proposed in said application-declaration within such time, and having requested that the time for such consummation be extended to and including December 31, 1944; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors to grant said

request:

It is ordered, That the time for consummating said transaction be, and hereby is, extended to and including December 31, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,

Secretary.

[F. R. Doc. 44-13285; Filed, August 31, 1944; 11:47 a.m.]

[File No. 70-736]

FEDERAL WATER AND GAS CORP., AND ALA-BAMA WATER SERVICE CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of August, A. D. 1944.

Federal Water and Gas Corporation, a registered holding company, and its subsidiary, Alabama Water Service Company, having filed an application pursuant to the Public Utility Holding Company Act of 1935 with respect to the following transactions:

 The borrowing by Federal Water and Gas Corporation from a bank of \$750,000 on a one-day unsecured note;

(2) Contribution by Federal Water and Gas Corporation of \$1,350,000 cash to the paid-in surplus of Alabama Water Service Company;

(3) Modification of the indenture securing the First Mortgage 334% Bonds of Alabama Water Service Company;

(4) Retirement by Alabama Water Service Company of \$1,008,000 principal amount of its First Mortgage 33/4% Bonds at a call price of 103.9% of par;

(5) Retirement by Alabama Water Service Company of 6,793 shares of its \$6 Cumulative Preferred Stock presently outstanding in the hands of the public, at the call price of \$105 per share;

(6) Distribution by Alabama Water Service Company of its electric properties including materials, supplies and accounts receivable pertaining to such properties, to Federal Water and Gas Corporation as the then sole stockholder of Alabama Water Service Company;

(7) Sale by Federal Water and Gas Corporation of the electric assets received by it under (6) above, to the Cities of Andalusia, Elba, and Opp and the Alabama Electric Cooperative, Inc. for \$2,- 500,000, subject to adjustments to the date of closing;

(8) Application by Federal Water and Gas Corporation of the proceeds from the said sale to repay the bank loan of \$750,000 referred to in (1) above and to redeem \$1,750,000 principal amount of it 5½ percent debentures due 1954, such redemption to be followed with 24 months from the date of sale of the said electric properties by redemption of an additional \$750,000 principal amount of said debentures; and

Federal Water and Gas Corporation and Alabama Water Service Company having requested that our order with respect to the proposed transactions contain recitals and specifications to conform with the requirements of sections 371 (b), 371 (d), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended by the Revenue Act of 1942; and

A public hearing having been held after appropriate notice; the Commission having considered the record and having made and filed its findings and opinions herein:

It is ordered, That the application be, and hereby is, granted forthwith, except with respect to fees and expenses, as to which matters jurisdiction is hereby reserved, subject to the terms and conditions contained in Rule U-24.

It is further ordered and recited, That Alabama Water Service Company transfer to Federal Water and Gas Corporation all of the properties more particularly described, specified and itemized in proposed deed and bill of sale from Alabama Water Service Company to Federal Water and Gas Corporation filed with the Securities and Exchange Commission on August 26, 1944 and marked Exhibit 14 as a part of the record in this proceeding, which exhibit is hereby incorporated by reference in this order and made a part hereof with the same force and effect as if set forth at length herein; that the transfer of said properties by Alabama Water Service Company to Federal Water and Gas Corporation is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; that Federal Water and Gas Corporation, immediately upon receipt of said properties from Alabama Water Service Company forthwith transfer and convey the said properties described, specified and itemized in said proposed deed and bill of sale marked Exhibit 14 and in proposed deeds and bills of sale from Federal Water and Gas Corporation to the Cities of Andalusia, Elba, Opp and Alabama Electric Cooperative, Inc. copies of which as Exhibits A, B, C, and D, respectively, are attached to Exhibit F-2 (being the agreement made between Federal Water and Gas Corporation and the Cities of Andalusia, Elba and Opp and Alabama Electric Cooperative, Inc. which agreement together with said exhibits is a part of the record in this proceeding) and each of which said Exhibits A, B, C, and D is hereby incorporated in this order by reference with the same force and effect as if set forth at length, to the City of Andalusia, City of Elba, City of Opp and Alabama Electric Cooperative, Inc. as follows:

(a) All of said properties described, specified and itemized in said Exhibit A shall be transferred and conveyed to the City of Andalusia for and in consideration of base purchase price of \$302,175.00 in cash, to be paid to Federal Water and Gas Corporation by the said City of Andalusia:

(b) All of said properties described, specified and itemized in Exhibit B shall be transferred and conveyed to the City of Elba for and in consideration of base purchase price of \$40,925 in cash to be paid to Federal Water and Gas Corporation by the said City of Elba;

(c) All of said properties described, specified and itemized in Exhibit C shall be transferred and conveyed to the City of Opp for and in consideration of base purchase price of \$81,900 in cash to be paid to Federal Water and Gas Corporation by the said City of Opp;

(d) All of said properties described, specified and itemized in Exhibit D shall be transferred and conveyed to Alabama Electric Cooperative, Inc., for and in consideration of base purchase price of \$2,075,000 to be paid to Federal Water and Gas Corporation by the said Alabama Electric Cooperative, Inc.

All of the foregoing transfers and conveyance by Federal Water and Gas Corporation being in pursuance of agreement of sale between Federal Water and Gas Corporation, as Seller, and City of Andalusia, City of Elba, City of Opp and Alabama Electric Cooperative, Inc., as Purchasers, dated as of June 15, 1944, and executed by Federal Water and Gas Corporation on July 24, 1944; and

It is further ordered and recited, That said agreement of sale and said transfers and conveyances by Federal Water and Gas Corporation in pursuance thereof are, and each of them is, necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are, and each of them is, necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member; that the distribution of said properties described, specified and itemized in said proposed deed and bill of sale from Alabama Water Service Company to Federal Water and Gas Corporation in obedience to this order and the sale of said priorities described, specified and itemized in said deed and bill of sale and in Exhibits A, B, C, and D, attached to the agreement of sale by Federal Water and Gas Corporation to the Cities of Andalusia, Elba, Opp and Alabama Electric Cooperative, Inc., also in obedience to this order, be completed within six months from the date of this order; that Federal Water and Gas Corporation shall, within six months of said sale, apply \$1,750,000 of the proceeds of sale, or an amount equivalent thereto, to the retirement or cancellation of securities representing indebtedness of Federal Water and Gas Corporation, to with: 51/2% debentures of Federal Water and Gas Corporation due 1954 and issued

under indenture dated May 1, 1929, and that said application and expenditure of said sum of \$1,750,000 to the retirement of said debentures is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and is necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member; and that the Commission reserves jurisdiction to determine by subsequent order herein the expenditure or investment that shall be made within twenty-four months of said sale of the \$750,000 balance of the proceeds of sale, or an amount equivalent thereto, as may hereafter be proposed by Federal Water and Gas Corporation and as may be shown to be necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-13286; Filed, August 31, 1944; 11:47 a. m.]

[File Nos. 70-915, 70-916]

CITIES SERVICE POWER & LIGHT CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of August, A. D. 1944.

In the matters of Cities Service Power & Light Company, File No. 70–915; Derby Gas & Electric Corporation, The Danbury and Bethel Gas and Electric Light Company, File No. 70–916.

Cities Service Power & Light Company ("Power & Light") and Derby Gas & Electric Corporation ("Derby"), both registered holding companies, and The Danbury and Bethel Gas and Electric Light Company ("Danbury"), a subsidiary of Power & Light, having filed applications and declarations pursuant to sections 6, 7, 9 (a) (1), 10, 11 (b), 12 (b), 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935, and the applicable rules thereunder, proposing the following transactions:

(a) The sale by Power & Light to, and the acquisition by, Derby of all the securities which Power & Light owns of Danbury for a base consideration of \$1,450,000 in cash, subject to certain adjustments to the date of sale, such securities consisting of (1) 24,000 shares of common stock of the par value of \$25 per share, (2) 175 shares of 7% cumulative preferred stock of the par value of \$25 per share, and (3) two 6% demand promissory notes, payable to Power & Light, dated respectively December 31, 1937 and January 27, 1938 in the respective principal amounts of \$367,000 and \$12,000:

(b) The application by Power & Light of the net proceeds of the said sale to the prepayment of its Bank Loan Notes in accordance with the terms thereof, as required by Power & Light's Custodian Agreement, dated March 15, 1944, with The Chase National Bank of the City of New York;

(c) The issuance and sale by Derby of \$1,450,000 principal amount of debentures to mature in 1954 and 54,054 shares

of no par value common stock;

(d) The issuance and sale by Danbury to Derby of 40,000 shares of Danbury's \$25 par value common stock;

(e) The redemption by Danbury of its 6% First Mortgage Gold Bonds, Series A, due August 1, 1948, outstanding in the principal amount of \$600,000, at the redemption price of 1011/2% of the principal amount thereof plus accrued interest, and its 7% cumulative preferred stock, outstanding in the amount of 16,000 shares, at the redemption price of \$27.50 per share plus accrued dividends on such stock; and

(f) The surrender by Derby of the

aforesaid 6% promissory notes in the aggregate principal amount of \$379,000 as a capital contribution to Danbury, and the retirement by Danbury of said

notes.

Power & Light having requested the Commission to issue an appropriate order and findings, in connection with its aforesaid sale of its interest in Danbury and the use of the proceeds of such sale, conforming to the requirements of section 1808 of the Internal Revenue Code;

Proceedings upon said applications and declarations having been consolidated for the purposes of hearing, a public hearing on such consolidated proceedings having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is hereby ordered, That said applications be, and the same are hereby, granted, and said declarations be, and the same are hereby, permitted to become effective, subject to the terms and conditions set forth in Rule U-24.

It is further ordered, That jurisdiction be, and the same hereby is, reserved to determine whether Derby Gas & Electric Corporation may retain the interest to be acquired by it in the gas properties of The Danbury and Bethel Gas and

Electric Light Company.

It is further ordered, That the proposed sale by Cities Service Power & Light Company of its interest in The Danbury and Bethel Gas and Electric Light Company and use of proceeds, as set forth in the declaration filed by Cities Service Power & Light Company herein, are necessary to effectuate the provisions of section 11 (b) and are fair and equitable to the persons affected.

By the Commission.

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-13287; Filed, August 31, 1944; 11:47 a. m.]

WAR MANPOWER COMMISSION.

HARTFORD, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Hartford Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

1. Purpose.

2. Definitions. 3. Control of hiring and solicitation of

workers.
4. Authority and responsibility of Management-Labor Committee.

5. General.

6. Issuance of statements of availability by

employers.
7. Referrals by the United States Employment Service.

8. Seniority.

Hiring contrary to the program.

10. Exclusions. Appeals.

Content of statements of availability.

Solicitation of workers.

14. Hiring.

15. Representation.

General referral policies.

17. Effective date.

This employ-SECTION 1. Purpose. ment stabilization program has been adopted in the Hartford Area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this employment stabilization program:

(a) The "Hartford Area" is the area comprised of the towns of Avon, Bloomfield, Bolton, Canton, East Granby, East Hartford, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, West Hartford, Wethersfield, and Windsor.

(b) "Agriculture" means those farm activities carried on by farm owners, or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War

Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

terms "employment" and (h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Hartford Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be

performed within the Area.

SEC. 4. Authority and responsibility of Management-Labor Committee. Area Management-Labor War Manpower Committee for the Hartford Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

Sec. 5. General. No employer in the Hartford Area shall hire any new worker except upon referral by or in accordance with arrangements with the United States Employment Service.

Notices of referral received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 6. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship,

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Workers receiving statements of availability from their employers may not be hired upon presentation of the statement of availability to a new employer. A worker shall present the statement of availability to the local office of the United States Employment Service of the War Manpower Commission for re-

ferral by it to a new job.

SEC. 7. Referrals by the United States Employment Service. (a) When any of the circumstances set forth in section 6 are found to exist in an individual's case and the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall refer such individual to a job opening. Pending such finding the United States Employment Service shall either request the worker to remain on his job or return to it in instances where the worker has voluntarily terminated his employment. When none of the circumstances set forth in section 6 are found to exist in an individual's case the United States Employment Service shall attempt to pursuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) The United States Employment Service shall refer any individual in the employ of an employer who the War Manpower Commission finds after notice, nearing, and final decision has not complied with any War Manpower Commission stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding. An employer who continues to be in non-compliance after notice, hearing, and final decision shall not receive any referrals of labor from the United

States Employment Service.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(d) The United States Employment Service, upon the request of an indi-

vidual, shall refer him to a former employer, when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement. a notice that he must return to his former employment in order to preserve his seniority status.

(e) The United States Employment Service shall refer any worker who has not been engaged in an essential or locally needed activity during the preceed-

ing 60-day period.

(f) If a worker's last regular employment was in agriculture, he shall not be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration and provided further that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral.

SEC 8. Seniority. Workers referred or transferred under the terms of this employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom, and

(b) Be reemployed by their home employer according to the seniority agreement or custom in effect, provided they apply for reemployment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the United States Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for reemployment with their home employer

as provided in (a) and (b).

SEC. 9. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this pro-

Sec. 10. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for

agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplemental to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service, or

(f). The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 11. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 12. Content of statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission

Sec. 13. Solicitation of workers. No employer shall advertise or otherwise solicit for the purposes of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representative.

SEC. 14. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, advanced age, sex, national origin, or except as required by law, citizenship.

However, the establishment by an employer of unreasonable physical or experience standards for employment will be considered as evidence of under utilization of available manpower and each such case will be referred to the attention of the Area Management-Labor

War Manpower Committee.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the United States Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 15. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of

which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 16. General referral policies. No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. Effective date. This program shall be effective as of May 1, 1944 and is in substitution for and supersedes the employment stabilization program in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the present hostilities, unless sooner terminated by the War Manpower Commission.

Dated: June 19, 1944.

WM. G. ENNIS. Area Director.

Approved: August 9, 1944. ARTHUR C. GERNES, Regional Director.

[F. R. Doc. 44-13193; Filed, August 30, 1944; 11:51 a. m.l

MERIDEN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabiliza-tion program for Meriden Area State of Connecticut is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Govern-Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

- 1. Purpose. Definitions. 2
- Control of hiring and solicitation of
- Authority and responsibility of Manage_ ment-Labor Committee.
- General.
- 6. Issuance of statements of availability by employers. . 7. Referrals by the United States Employ-
- ment service.
- Seniority.
- Hiring contrary to the program.
- 10. Exclusions.
- 11. Appeals.
- Content of statements of availability.
- Solicitation of workers.
- 14. Hiring.15. Representation.
- General referral policies.
- 17. Effective date.

SECTION 1. Purpose. This employment stabilization program has been adopted in the Meriden Area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of

(a) The elimination of wasteful turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war pro-

gram,
(d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this employment stabilization program:

(a) "The Meriden Area" is the area

comprised of the towns of Meriden,

Wallingford and Southington.
(b) "Agriculture" means those farm activities carried on by farm owners, or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii,

and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(9 F.R. 3439).

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employ-

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Meriden Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the Area, if the work is to be performed within the Area.

Sec. 4. Authority and responsibility of Management-Labor Committee. Area Management-Labor War Manpower Committee for the Meriden Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. General. No employer in the Meriden Area shall hire any new worker

except upon referral by or in accordance with arrangements with the United States Employment Service.

Notices of referral received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request,

SEC. 6. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise termi-

nated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship,

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Workers receiving statements of availability from their employers may not be hired upon presentation of the statement of availability to a new employer. A worker shall present the statement of availability to the local office of the United States Employment Service of the War Manpower Commission for referral

by it to a new job.

SEC. 7. Referrals by the United States Employment Service. (a) When any of the circumstances set forth in section 6 are found to exist in an individual's case and the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall refer such individual to a job opening. Pending such finding the USES shall either request the worker to remain on his job or return to it in instances where the worker has voluntarily terminated his employment. When none of the circumstances set forth in section 6 are found to exist in an individual's case the USES shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without preju-

(b) The United States Employment Service shall refer any individual in the employ of an employer who the War Manpower Commission finds after notice, hearing and final decision has not complied with any WMC stabilization

program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision shall not receive any referrals of labor from the United States

Employment Service.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully untilized in the war effort.

(d) The United States Employment Service, upon the request of an individual, shall refer him to a former employer, when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

(e) The United States Employment Service shall refer any worker who has not been engaged in an essential or locally needed activity during the pre-

ceding 60-day period.

(f) If a worker's last regular employment was in agriculture, he shall not be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration and provided further that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral.

SEC. 8. Seniority. Workers referred or transferred under the terms of this employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom, and

(b) Be reemployε by their home employer according to the seniority agreement or custom in effect, provided they apply for reemployment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the United States Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for reemployment with their home employer as provided in (a) and (b).

SEC. 9. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 10. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agriculture employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplemental to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment

was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

Sec. 11. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 12. Content of statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security ac-count number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 13. Solicitation of workers. No employer shall advertise or otherwise solicit for the purposes of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representative.

SEC. 14. Hiring. The decision to hire, or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations shall be conducted by the U.S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 15. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 16. General referral policies. No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. Effective date. This program shall be effective as of May 1, 1944 and is in substitution for and supersedes the employment stabilization program in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the present hostilities, unless sooner terminated by the War Manpower Commission.

Dated: June 6, 1944.

GEORGE J. COYLE. Area Director.

Approved: August 9, 1944.

ARTHUR C. GERNES, Regional Director.

[F. R. Doc. 44-13192; Filed, August 30, 1944; 11:51 a. m.]

MIDDLETOWN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Middletown Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

1. Purpose.

2. Definitions.

3. Control of hiring and solicitation of work-

4. Authority and responsibilities of Management-Labor Committee.

5. Encouragement of local initiative and use of existing hiring channels.

7. Issuance of statements of availability by employers.

8. Issuance of statements of availability by the United States Employment Service. 9. Referral in case of under-utilization.

- 10. Workers who may be hired only upon referral by the United States Employment Service.
- 11. Hiring contrary to the program.
- 12. Exclusions.

13. Appeals.

14. Statements of availability.

15. Solicitation of workers.

16. Hiring. 17. Representation.

18. General referral policies.

19. Effective date.

Section 1. Purpose. This employment stabilization program has been adopted in the Middletown Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) -The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this em-

ployment stabilization program:
(a) The "Middletown Area" is comprised of the territory designated in Ap-

pendix A. (b) "Agriculture" means those farm

activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Man-

power Commission.

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Middletown Area to be either

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such Area exceeds

the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Man-

power Director.
(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employ-

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Middletown Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be per-

formed within the area.

SEC. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Middletown Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. Encouragement of local initiative and use of existing hiring channels. The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Middletown Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment

Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven

or more days, or

(c) Continuance in his employment would involve undue personal hardship,

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof. (See section 9.)

SEC. 8. Issuance of statements of availability by the United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to pursuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker with-

out prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a

statement of availability.

(c) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of

seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form the words:

The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon

Sec. 9. Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical

occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (See Appendix B) or his statement of availability indicates that his last employment was in such an oc-

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: Provided. That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: And provided further, That such an individual may be hired for nonagricultural work for a period of not to exceed six weeks without referral or presentation of a statement of avail-

(e) The new employee is a male worker.

SEC. 11. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made,

SEC. 12. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for

agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program:

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employ-

ment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representa-

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, advanced age, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U.S. Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the

SEC. 18. General referral policies. provisions in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. Effective date. This program shall be effective as of June 5, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: June 19, 1944.

WM. G. ENNIS, Area Director.

Approved: July 22, 1944.

ARTHUR C. GERNES, Acting Regional Director.

APPENDIX A—DESIGNATION OF THE MIDDLETOWN AREA

The Middletown Area is comprised of the territories included in the following cities and towns in the State of Connecticut:

Chester, Clinton, Cromwell, Durham, East Haddam, East Hampton, Essex, Haddam, Killingworth, Marlborough, Middlefield, Middletown, Old Saybrook, Portland, Saybrook, and Westbrook.

APPENDIX B-ADDITIONAL CONTROLLED OCCUPA-

The following shall be considered additional controlled occupations in the Middletown

Milling Machine Operator. Engine Lathe Operator. Turret Lathe Operator. Draftsman. Automobile Mechanic.

[F. R. Doc. 44-13194; Filed, August 30, 1944; 11:52 a. m.]

THOMPSONVILLE, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Thompsonville Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec

- Purpose.
- Definitions.
- Control of hiring and solicitation of workers.
- 4. Authority and responsibilities of management-labor committee.
- 5. Encouragement of local initiative and use of existing hiring channels.
- General.
- Issuance of statements of availability by employers.
 8. Issuance of statement of availability by
- the United States Employment Service.
- 9. Referral in case of under-utilization. Workers who may be hired only upon referral by the United States Employment Service.
- 11. Hiring contrary to the program.
- 12. Exclusions.
- 13. Appeals.
- Statements of availability.
- 15. Solicitation of workers.
- Hiring.
- 17. Representation.
- Seniority.
 General referral policies.
- 20. Effective date.

SECTION 1. Purpose. This employment stabilization program has been adopted in the Thompsonville Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

- (a) The elimination of wasteful labor turnover in essential activities.
- (b) The reduction of unnecessary labor migration,
- (c) The direction of the flow of scarce labor where most needed in the war program,
- (d) The maximum utilization of manpower resources.
- SEC. 2. Definitions. As used in this employment stabilization program:
 (a) "The "Thompsonville area" is
- comprised of the territory designated in Appendix A.
- (b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or man-agement of livestock, bees, and poultry,

and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii,

and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War

Manpower Commission.

(f) "Additional controlled occupa-tion" means any occupation found by the Area Manpower Director for the Thompsonville Area, with the approval of the Regional Director, to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed produc-

tion in such area, or

(2) An occupation in which the demand for workers in such area exceeds

the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

(g) "Essential activity" means any ac-tivity included in the War Manpower Commission List of Essential Activities,

(h) "Locally needed" activity means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicita-tion of workers in, or for work in, the Thompsonville Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. Authority and responsibilities of Management-Labor Committee, The Area Management-Labor War Manpow-er Committee for the Thompsonville Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with-

regulations of the War Manpower Commission governing appeals.

SEC. 5. Encouragement of local initiative and use of existing hiring channels. The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the

provisions of this program.

SEC. 6. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been re-ferred by the United States Employ-

ment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission or is hired with its consent, as provided herein.

SEC. 7. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise termi-

nated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in His employment would involve undue personal hardship.

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof. (See sec. 9.)

SEC. 8. Issuance of statement of availability by the United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the Unitec States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing, and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A temporary statement of availability valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary layoff is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment. Nothing in this section shall be construed to supersede the provisions of section 10 (d).

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon re-

ferral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day

period, or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: Provided, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: And provided further, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

(e) The new employee is a male worker.

SEC. 11. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. Exclusions. No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment:

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabili-

zation program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representative.

Sec. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, advanced age, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

Sec. 17. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member of any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. Seniority. Workers referred or transferred with statements of availability under the terms of this area employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom; and

(b) Be reemployed by their home employer according to the seniority agreement of custom mentioned above, provided they apply for reemployment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the U. S. Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for reemployment with their home employer as

provided in (a) and (b).

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 19. General referral policies. No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 20. Effective date. This program shall be effective as of June 5, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: June 19, 1944.

WM. G. ENNIS, Area Director.

Approved: July 22, 1944.

ARTHUR C. GERNES,

Acting Regional Director.

Appendix A—Designation of the Thompsonville Area

The Thompsonville Area is comprised of the territories included in the following cities and towns in the State of Connecticut:

East Windsor, Eilington, Enfield, Somers, Stafford, Suffield, Tolland, Union, Vernon (Rockville), Willington, and Windsor Locks.

APPENDIX B—ADDITIONAL CONTROLLED
OCCUPATIONS

The following shall be considered additional controlled occupations in the Thompsonville Area;

Draftsman.

Time study man.

Auto mechanic.

Welder. Spinner.

Weaver.

Padding machine operator (textile).
Palmer finishing machine operator (tex-

tile).

Calendar operator (textile).

Machine adjuster III.

Press operator (printing and publishing). Envelope machine operator (paper goods). Screw machine operator (automatic).

Jig dyeing operator. Cutter (envelope).

Examiner and tuber (textile).

[F. R. Doc. 44-13191; Filed, August 30, 1944; 11:51 a. m.]

WAR PRODUCTION BOARD.

[Consent Order C-201]

SAM MOORE CHAIRS, INC.

Sam Moore Chairs, Inc., a corporation, located at Christiansburg, Virginia, is engaged in the manufacture of upholstered chairs. The company is charged by the War Production Board with violation of General Limitation Order L-260, in that during the period from February 23, 1943, and June 30, 1943, it consumed in the

production of furniture, essential metal parts having a total cost value of more than 25% of the total cost value of essential metal parts consumed by it during its metal base period, and that during the second and third quarters of 1943, it consumed in the production of furniture essential metal parts, in each of the said quarters, having a total cost value of more than 121/2% of essential metal parts consumed by it in the production of furniture during its metal parts base period. Said corporation admits the violation as charged, and agrees that because of the violation it used more lumber in the manufacture of furniture in the year 1943, than it would have used had the violation not occurred. The corporation has consented to the issuance of this order.

Wherefore, upon agreement and consent of Sam Moore Chairs, Inc., the Regional Compliance Manager and the Deputy Regional Attorney, and upon the approval of the Compliance Commissioner; It is hereby ordered, That:

(a) Commencing September 1, 1944, Sam Moore Chairs, Inc., shall figure its permitted usage of lumber in the manufacture of furniture on the basis of their use of lumber in the year of 1943 of 150,000 board feet of lumber.

(b) Nothing contained in this order shall be deemed to relieve Sam Moore Chairs, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 30th day of August 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-13216; Filed, August 30, 1944; 4:36 p. m.]